



City of
Washington
NORTH CAROLINA
Council Agenda
AUGUST 11, 2014
5:30 PM

Opening of Meeting

Nondenominational Invocation

Roll Call

Approval of minutes from July 28, 2014 (**page 3**)

Approval/Amendments to Agenda

Presentation: Baseball Tournament Winners

I. Consent Agenda:

A. Approve – Purchase Orders >\$20,000 (**page 14**)

II. Comments from the Public:

III. Public Hearing on Zoning: **6:00 PM**

A. None –

IV. Public Hearing – Other:

A. None –

V. Scheduled Public Appearances:

A. None –

VI. Correspondence and Special Reports:

A. Report – Load Management Device Installation for the month of June (**page 20**)

VII. Reports from Boards, Commissions and Committees:

A. None –

VIII. Appointments:

A. Appointments – to Washington Electric Utilities Advisory Board & Parks and Recreation Advisory Committee (**page 21**)

IX. Old Business:

A. Authorize – Staff to proceed with installing three curb cuts at Keys Landing Subdivision with an agreement for the developer to reimburse the City \$1,320/lot when homes are sold (**page 26**)



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- B. Adopt – Budget Ordinance Amendment to reallocate the 2011 and 2012 Airport Vision 100 Grants (**page 27**)
- C. Adopt – Budget Ordinance Amendment 2013-2014 Projects Not Completed in FY 2013-2014 (**page 30**)
- D. Adopt – Budget Ordinance Amendment for Outstanding Purchase Orders from FY 13/14 (**page 34**)
- X. New Business:
 - A. Approve and Authorize – the Mayor to execute the Deed of Trust Releases for lots 1,2,3,11, and 12 in Keys Landing Subdivision (**page 41**)
 - B. Approve and Authorize – the Mayor to execute the Deed of Trust Release for lot 158 in Northgate Subdivision (**page 57**)
 - C. Approve and Authorize – the City Manager to sign the Promissory Note to the Beaufort County Committee of 100 (\$25,000) (**page 63**)
- XI. Any Other Items From City Manager:
 - A. None –
- XII. Any Other Business From the Mayor or Other Members of Council
 - A. None -
- XIII. Closed Session – Under NCGS § 143-318.11(a)(6) Personnel
- XIV. Adjourn – Until Monday, August 25, 2014 at 5:30 pm, in the Council Chambers.

The Washington City Council met in a regular session on Monday, July 28, 2014 at 5:30pm in the City Council Chambers at the Municipal Building. Present were: Mac Hodges, Mayor; Bobby Roberson, Mayor Pro tem; Doug Mercer, Councilman; William Pitt, Councilman; Richard Brooks, Councilman; Larry Beeman, Councilman; Brian M. Alligood, City Manager; Cynthia S. Bennett, City Clerk and Franz Holscher, City Attorney.

Also present were: Matt Rauschenbach, Administrative Services Director/C.F.O.; Stacy Drakeford, Police & Fire Services Director; Robbie Rose, Fire Chief; Allen Lewis, Public Works Director; Keith Hardt, Electric Utilities Director; Lynn Wingate, Tourism Director; Gloria Moore, Library Director; Susan Hodges, Human Resources Director; John Rodman, Community & Cultural Resources Director; Kristi Roberson, Parks & Recreation Manager; David Carraway, IT Director; and Tony Black, Washington Daily News.

Mayor Hodges called the meeting to order and Councilman Mercer delivered the invocation.

APPROVAL OF MINUTES:

By motion of Councilman Mercer, seconded by Councilman Beeman, Council approved the minutes of July 14, 2014 as presented.

APPROVAL/AMENDMENTS TO AGENDA:

By motion of Mayor Pro tem Roberson, seconded by Councilman Mercer, Council approved the agenda as presented.

RECOGNITION: SOFTBALL TOURNAMENT WINNERS:

Mayor Hodges and League President, Neal Dixon presented certificates to the following Softball Tournament Winners:

*Washington 8U All-Stars
District 6 Champion, State Tournament Runner-Up and Southeast Regional Tournament Runner-Up*



Shaelee Chrismon, Erin Everett, Savannah Hale, Kirbi Case, Melanie Rutledge,
Katherine Pollock, Ava Shae Mizell, Ana Clare Roberson, Peyton Youmans, Haley Hedgepeth,
Sophie Purser, Lilly Davis

Coaches: Riley Youmans, George Everett, Tony Chrismon

*Washington 10U All-Stars
District 6 Champion and State Tournament Runner-Up*



Mary-Morgan Beeman, Laci Campbell, Kipper Case, Savanna Craft, Hannah Daniel, Abby Gardner, Mary Emma Holscher, Cierra Linton, Sydney O’Neal, Olivia Paszt, Leah Spencer, Emma Tucker
Coaches: Larry Beeman, Beau Daniel, Kevin Spencer

*Washington 12U All-Stars
District 6 Champion, State Tournament Runner-Up and Southeast Regional Runner-Up*



Summer Campbell, Abbigail Tucker, Sydney Keech, Lily Wright, Desiree Maurizzio, Macy Main, Emerson Davis, Kaylee Elks, Abby Pippin, Grace Paszt, Courtney Cutler
Coaches: Dallis Tucker, EJ Paszt, Stacey Pippin

*Washington 16U All-Stars
District 6 Champion*



Samantha Sheppard, Jordan Pierce, Danielle Duckwall, Alyssa McLawhorn, Sarah Lynch, Catie Dority, Karley Little, Kaley Coltrain, Sarah Alligood, Kaitlyn Ivey, Hailey Harris
Coaches: Greg Dority, Walker Lynch, Melissa Nicholas

CONSENT AGENDA:

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council approved the consent agenda as presented.

- A. Approve – Purchase Orders >\$20,000
- Requisition # 14875, \$21,849, to Ilderton Dodge (State contract) for passenger van to replace vehicle #522, account 30-90-8100-7400.
 - Requisition # 14877, \$51,042, to Old Dominion Brush Co. for 2 leaf vacuums, account 38-90-4710-7400.
 - Requisition # 14870, \$51,887.61, to Piedmont Truck Center (State contract) for a F750 truck to replace #454, account 10-20-4510-7400.
 - Requisition # 9203, \$24,625, to Power Secure for 2014/2015 peak shaving generator maintenance, account 35-90-8370-4500.

COMMENTS FROM THE PUBLIC: REVEREND DAVID MOORE

Reverend David Moore addressed City Council regarding the three homes Metropolitan has under construction at Keyslanding. He explained that the curb cuts were put in before construction started and the curb cuts are in the wrong place. Reverend Moore requested the City pay for curb cuts in the amount of \$3,960. He further noted that the first house will be closing possibly this week or next week at the latest.

Mayor Pro tem Roberson inquired if anyone had applied for driveway permits and Reverend Moore responded 'no'. Did the construction company put in the drive way cuts and Reverend Moore said 'yes' and that no one ever spoke with him about the driveway location. Mayor Pro tem Roberson requested Reverend Moore provide Council with a history on how the process has worked on prior housing development projects. Reverend Moore said normally the curb cuts aren't made until the house is already constructed, because that way you will know where the driveway is located. It is normally pretty simple but he feels the contractor jumped the gun by not having the proper communication with everyone involved. Mayor Pro tem Roberson asked Public Works Director, Allen Lewis if we can leave the existing curb cuts as is and then go over and construct the new cuts? Mr. Lewis stated this is not a policy he is familiar with as we don't normally have two curb cuts. Mayor Pro tem Roberson inquired if it would be a code violation if we go forward and construct the proposed driveway (violation of the driveway permit to leave the existing curb cut and cut a new one). Mr. Lewis stated as long as the two curb cuts are not too close together, there would not be a problem, but we still encounter the cost installing the curb cut. Mayor Pro tem Roberson asked what is the estimated cost and Mr. Lewis stated \$3,960, which includes removing the three existing curb cuts and to re-pouring three new ones.

Councilman Brooks asked Reverend Moore if the City would remove the current curb cuts and replace with new curb cuts, would he help with the financial part. Reverend Moore noted that Metropolitan is providing all construction financing (approximately \$400,000 invested now). Councilman Brooks inquired if Metropolitan can reimburse the City of Washington once houses sell and Reverend Moore stated this arrangement would not really help him. Reverend Moore said if he doesn't meet his deadline then the penalty to the City is to repay the \$75,000.

Councilman Mercer inquired if the extension went until June 30, 2016 and Mr. Alligood said 'yes'. Representatives from the NC Department of Commerce are receptive to refunding the City the \$25,000 we have already paid; if we can close the grant out before the end of this year. Furthermore,

we are on hold for the next two payments of \$25,000. Councilman Mercer asked Reverend Moore what is the selling price of the homes and Reverend Moore said roughly around \$169,900.

Mayor Pro tem Roberson requested clarification on the rule of procedures because the way he understands it Council can't vote on the request tonight. Mr. Alligood explained in order to vote tonight, Council will need four (4) affirmative votes.

Councilman Brooks made the motion for the City to fix the curb cuts if Reverend Moore agrees to reimburse the City \$1,320 per house when each one of the three homes is sold. Motion failed for lacked of second. ($\$1,320 \times 3 = \$3,960$)

Councilman Pitt commented it is very important we get this project completed. He suggested if fixing the curb cuts would expedite having the project completed by the end of November, then he would prefer that we seek another way to fund this cost other than charging the cost back to each home.

By motion of Councilman Pitt, seconded by Mayor Pro tem Roberson, it was proposed the City seek another way to fund the removal and replacement of the curb cuts other than a charge back to each home. Motion failed by 2-3 vote: Councilman Beeman, Brooks, and Mercer opposing.

Discussion followed with members of Council and Mayor Hodges trying to understand how the problem occurred in the first place and how it failed to be addressed until now. Council suggested that the contractor should have flipped his plans before starting anything and then the City and Metropolitan would not be in this situation. Reverend Moore agreed.

By motion of Councilman Brooks, seconded by Mayor Pro tem Roberson, it was proposed the City would fix the curb cuts if Reverend Moore agrees to reimburse the City \$1,320 per house when each one of the three homes is sold ($\$1,320 \times 3 = \$3,960$).

Discussion: Councilman Beeman inquired if there is a guarantee the City would recoup the \$1,320 per home if Reverend Moore agrees to this proposal. Mr. Holscher explained it would come out of closing proceeds of sale. Councilman Mercer expressed concerns regarding the Memo of Understanding, Deed of Trust, or a Promissory Note on those properties voicing would we not have to modify those documents that are in place. Mr. Holscher explained he did not see a need to modify those documents. Councilman Mercer suggested every time the developer has a problem in the project they run to the City to bail them out and expressed the City has done enough for this project. If the project is not finished by November then when June 30, 2016 comes around, the City has a Memo of Understanding and a Promissory Note and the money will come back to the City. Motion failed by 3-2 vote: Councilman Mercer and Pitt opposing.

City Manager, Brian Alligood explained the motion came up in the Public Comment section of the meeting and by following the Council's recently adopted policy; the motion does not pass tonight, because it would have needed four affirmative votes. If the item comes back at the next meeting in two weeks, the motion can pass on a simple majority. Council directed staff to place this on the August 11, 2014 agenda under "Old Business".

PUBLIC HEARING ON ZONING: NONE**PUBLIC HEARING – OTHER: NONE****SCHEDULED PUBLIC APPEARANCES:****PATTY PEEBLES, OPTIMIST CLUB OF WASHINGTON – LEAGUE AGREEMENT**

Mr. Alligood explained we received correspondence from Patty Peebles requesting Council consider/review the Optimist Club request regarding the League Agreement, most specifically referencing increasing rates from \$25 to \$30 per participant. Councilman Brooks stated Parks and Recreation will be looking at new events this year. Mayor Pro tem Roberson inquired how much money did Parks and Recreation lose last year and Mr. Alligood stated approximately \$1.2 million. Mayor Pro tem Roberson stated in light of the deficit in Parks and Recreation he is in favor of the increase. Kristi Roberson, Parks and Recreation Manager explained that under the current agreement, the Leagues are not allowed to charge above \$25 for each participant. If you charge more than \$25 per participant then you have to pay fees that are associated with the facilities that you use.

By motion of Councilman Beeman, seconded by Councilman Brooks, Council agreed to allow an increase in the fee charged by the Optimist Club from \$25 to \$30 and to change the sport agreement accordingly with no revision to require payment of a fee to the City for the fall soccer program.

Councilman Mercer expressed his concern regarding the agreement we have in place and noted there is substantial cost to the City to operate this program. Councilman Mercer said now we are giving the league the authority to increase their fee with no additional compensation to the City. Councilman Beeman explained the increased fee is to cover the increased cost of the uniforms and their referees.

Mr. Alligood requested Council consider making the sport agreement go to \$30 for all leagues since this is the start of the fiscal year. This would prevent other leagues having to come before Council with the same request. Councilman Beeman noted that different leagues have different expenses and other leagues may have a different request. Mr. Holscher noted the sport agreement currently written is written for all leagues. If Council is talking about revising that agreement the motion is to revise it for soccer only and the current agreement for all other leagues will remain the same and subject to future revision upon request.

NOON ROTARY – “LITTLE FREE LIBRARY”

Mr. Spencer Stanley with Noon Rotary explained the organization had met with the Parks & Recreation Advisory Committee in June and July about placing a “Little Free Library” site near the new dock masters station. This will be a small box that will hold approximately 30 books.

Mr. Stanley suggested they have plans to include 4-5 more boxes around the City over the next year and they have not identified the other locations yet. Councilman Pitt asked if the books are donated and Mr. Stanley replied ‘yes’.

By motion of Councilman Beeman, seconded by Mayor Pro tem Roberson, Council agreed to install the “Little Free Library” near the new dock masters station.

CORRESPONDENCE AND SPECIAL REPORTS:

DISCUSSION – GRANT UPDATES: NO COMMENTS

Grant Executive Summary
as of 6/30/2014

Active Fund	Grant Description	Dates			Financials				Deliverable			Compliance Reporting Status	Notes	
		Award	Expiration	Completion	Revenue		Expense		Metric	Total	Achieved			Bal.
50	CDBG Affordable Housing	04/09/10	10/31/14	10/31/14	227,700	185,719	227,700	185,719	UMI homes	10	5	5	06/30/14	Applicant promotion & qualification
51	Blue Skies	05/01/13	09/01/15	02/01/15	350,000	347,264	350,000	323,224	Jobs (60%LMI)	15	16	0		Job creation targets met, last requisition submitted.
52	Comprehensive Bicycle Plan	05/28/13	12/31/13	06/30/14	35,000	30,430	35,000	32,288				0		DOT reviewing 3rd draft
53	idK/Impressions RC One Grant	09/30/13	09/30/16		300,000	-	300,000	-	Jobs/Investment	160	0	160	01/31/14	Jobs created but not since award date
57	CDBG for Job Creation	07/06/12	01/16/15	07/06/14	200,000	195,989	200,000	196,182	Jobs(7 new/1 ret.)	8	6	2	06/30/14	Equipment procured, admin. BD activity will continue through fall
61	Pedestrian Plan Grant	05/29/13	09/30/13	12/31/14	10,000	10,000	10,000	-				0		Plan being drafted
85	Econ. Development- Spritite	01/07/12	01/07/13	01/07/13	90,000	90,405	90,000	67,500	Jobs	80	78	24		84% of job target met and 78% reimbursed
66	Airport Terminal Grant	04/04/13	07/01/15	09/31/15	1,255,902	585,260	1,255,902	294,059				0		Construction begun
87	Facade Grant Program	07/01/13	06/30/14	06/30/14	20,090	20,133	20,090	20,090				0		Complete
69	Way Finding				150,000	150,000	150,000	2,100				0		Design development in progress, public input meeting July 22nd
71	Airport Lighting Rehab				361,111	36,111	361,111	-				0		Grant project ordinance in June
78	EDA Water Projects	09/11/13	03/11/17	02/28/17	1,428,894	706,321	1,428,262	28,449				0		Eng. bid awarded, topo surveys begun, award cont. Dec 2014
77	EDA Sewer Grants	09/11/13	03/11/17	02/28/17	1,428,894	709,874	1,428,894	118,159				0		Eng. bid awarded, topo surveys begun, award cont. Dec 2014
78	Light House RR & Busier Facility	01/17/12	01/17/13	06/30/14	346,507	96,713	346,507	274,830				0		Construction nearing completion
	CDBG Keyville Rd.	2005	8/4/2013	06/30/16	320,000	320,000	320,000	320,000				0	06/30/14	3 homes in progress, requested extension on occupancy

Applications

	Pre-App	Selected	Final App	Grant	Match	Total	
CDBG Infrastructure, basin 11 23th & Bridge				1,100,000	30,000	1,130,000	Not selected 1st or 2nd round, submit for 2015
Public Access- Peoples Pier	2/28/14			120,000	30,000	150,000	Application submitted
Public Access- Havens Garden	5/30/14	6/20/14	9/15/14	180,000	20,000	200,000	May memo to Council
Vidant- EMS Paramedic Level				22,000		22,000	Not awarded, pursuing through corporate
FEMA- Fire vehicle, turnout wash/dry, vehicle exhaust				899,000	21,000	420,000	Did not make it through peer review
TAG- Sanitary sewer study				35,000	0	35,000	Awarded, July project ordinance and resolution
Historic Preservation Grant				14,000	4,000	18,000	Tentatively awarded, inventory/awaiting tour info development
NC Cardinal			7/1/14	22,345	0	22,345	Grant awarded, complete by 6/30/15
Police Bullet Proof Vests							

DISCUSSION – PROJECT UPDATES:

Councilman Mercer inquired if the Lighthouse had been completed and Mr. Alligood stated they are very close “we are on the punch list”. Community & Cultural Resources Director, John Rodman stated they now have a Conditional Certificate of Occupancy. There are some issues with sidewalks. The two granting agencies are supposed to be here this week to do their final inspection.

Capital Project Status FY 2015/2014

7/15/2014

Fund/Department	Account	Description	Budget \$	Spent	Open PO	Balance	Status	Notes
	35-90-8390-7400	Equipment Shelter	42,500	48,500	0	(4,500)	Completed	
	35-90-8390-7400	Row Surface	12,000	10,593	0	1,408	Completed	
	35-90-8390-7400	Trencher Trailer	8,000	7,055	0	945	Completed	
	35-90-8390-7400	Rope Pulling Machine	25,708	24,368	0	1,340	Completed	2
	35-90-8390-7400	Vehicle #651	44,890	45,174	0	(594)	Completed	2
Power Line Construction	35-90-8390-7401	Bucket Truck #616	235,547	235,541	0	6	Completed	2
		Total Power Line Construct	887,835	483,035	167,821	236,979		
		Actual	887,835	483,035	167,821	236,979		
		Total Electric Fund	1,191,785	784,529	218,886	238,320		
		Actual	1,191,785	784,529	218,886	238,320		
Airport:								
Warren Field Airport	37-80-4330-7400	John Deere Rotary Mower	15,752	15,751	0	1	Complete	
		Total Solid Waste	15,752	15,751	0	1		
		Actual	15,752	15,751	0	1		
Solid Waste:								
Solid Waste Collection	38-90-4710-7400	Replace Truck #436	126,545	126,544	0	1	Complete	
		Total Solid Waste	126,545	126,544	0	1		
		Actual	126,545	126,544	0	1		
Cemetery:								
Cemetery Fund	39-90-4740-7400	Kubota Tractor	35,000	35,000	0	0	Complete	
		Total Cemetery	35,000	35,000	0	0		
		Actual	35,000	35,000	0	0		
Grand Total:								
		Grand Total	2,447,258	1,602,219	418,013	427,025		
		Actual	2,447,258	1,602,219	418,013	427,025		

Notes:
1 PO carryforward
2 Project carryforward

Fund/Department	Account	Description	Budget \$	Spent	Open PO	Balance	Status	Notes
General Fund:								
IT	10-00-4132-7400	Virtualization Migration	30,000	0	27,500	2,500	Redundant PRI & Cisco server	
		PEG Channel Equipment	75,000	0	0	75,000	On Hold - to create plan for future	
		SSG Cisco Smartnet	9,148	0	0	9,148	Recurring cost of support	1
		Westinghouse Electric	2,065	4,964	0	(2,899)	Hardware associated with Fiber	1
		SSG Fiber- Peterson Bldg.	8,940	1,392	0	7,548	Complete	1
		Fiber Project	24,113	49,581	1,206	(26,654)	Phase I complete	2
		Total IT	148,667	55,717	28,706	64,244		
		Actual	148,667	55,717	28,706	64,244		
Municipal Building	10-00-4250-7400	City Hall Chiller	87,270	87,270	0	0	Complete	
		Actual	87,270	87,270	0	0		
Police	10-10-4310-7400	Police vehicles	80,700	80,070	0	631	Complete	
		Vehicle equipment	4,395	4,431	0	(36)	Complete	2
		Total Police	85,095	84,500	0	595		
		Actual	85,095	84,500	0	595		
Fire	10-10-4340-7400	Fire Utility Vehicle	27,904	27,904	0	0	Complete	
		Thermal Imaging Camera	9,000	0	8,105	895	On order	
		Total Fire	36,904	27,904	8,105	895		
		Actual	36,904	27,904	8,105	895		
Inspections	10-10-4850-7400	Inspections vehicle	19,996	19,995	0	1	Complete	
		Actual	19,996	19,995	0	1		
Street Maintenance	10-20-4510-7400	Air Compressor	21,050	20,428	0	622	Complete	
		Actual	21,050	20,428	0	622		
Library	10-40-5110-7400	Library lighting	25,100	24,981	0	119	Complete	
		Actual	25,100	24,981	0	119		
Recreation Admin.	10-40-5120-7400	Peterson Building Roof	38,420	38,420	0	0	Complete	
		Peterson Building HVAC	10,000	9,970	0	30	Complete	
		Total Recreation Admin.	48,420	48,390	0	30		
		Actual	48,420	48,390	0	30		
Senior Center	10-40-5123-7400	Sc. Center Entrance & Ramp	34,000	33,800	0	200	Complete	
		Actual	34,000	33,800	0	200		
Civic Center	10-40-5125-7400	Concrete drive	1,300	1,233	0	67	Complete	
		Actual	1,300	1,233	0	67		
Aquatic Center	10-40-5126-7400	Phase 1 Dectron Unit Replace	16,200	16,200	0	0	Complete	
		Actual	16,200	16,200	0	0		
Rec. Maintenance	10-40-5130-7400	Boardwalk Replacement	24,856	24,856	0	0	Complete	
		Actual	24,856	24,856	0	0		
General Fund Summary:								
		Todd Maxwell Restrooms	59,620	0	59,620	0	In progress, complete by 8/15/14	
		Total Rec. Maintenance	84,476	24,856	59,620	0		
		Actual	84,476	24,856	59,620	0		
		Total General Fund	608,478	445,274	96,431	66,773		
		Actual	608,478	445,274	96,431	66,773		
Water:								
Water Meter Svc.	30-50-7250-7000	AMR Meters	100,000	89,276	10,000	724	2nd round of meters on order	
Water Meter Svc.	30-50-7250-7400	AMR Meters	235	0	0	235		
Water Treatment	30-50-8100-7400	Maint. & Repair of Cameras &	25,000	21,276	0	3,724	Complete	
Water Maintenance	30-50-8140-7400	Replace Truck #414	60,000	52,863	7,393	245	Complete	
Water Construction	30-50-8180-7400	B' Summit Ave.WL	179,000	9,693	75,920	93,387	Design in process, complete project October 1	
		Total Water Fund	964,235	172,608	93,313	98,914		
		Actual	964,235	172,608	93,313	98,914		
Sewer:								
Wastewater Treatment	32-90-8220-7400	Liquid Feed Constr. Admin.	4,454	2,495	0	1,959	Complete	
Wastewater Treatment	32-90-8220-7400	Replace Return Sludge Pump	21,000	20,916	0	84	Complete	
L.R. Stations	32-90-8230-7400	Generator for Fountain Pump	80,049	49,101	9,984	21,565	Project under construction, complete by 5/30/14	
		Total Sewer Fund	105,513	72,512	9,984	23,617		
		Actual	105,513	72,512	9,984	23,617		
Electric:								
Electric Meter Service	35-50-7250-7400	Meters	48,300	46,512	1,740	48	Completed	
		AMR Mobile Collector	20,000	20,000	0	0	Completed	
		Total Electric Meter Svc.	68,300	66,512	1,740	48		
		Actual	68,300	66,512	1,740	48		
Substation Maint.	35-50-8370-7400	Highland Drive Recloser	30,000	31,620	0	(1,620)	Completed	
		Highland Dr. Breaker Replaces	40,000	36,342	900	2,758	Completed	
		RTAC (White Post substation)	6,000	5,040	0	960	Completed	
		Eastman Substation Breaker	42,000	0	43,425	(1,425)	In Progress	
		Distribution reclosers	20,000	14,955	5,000	45	In Progress	
		Capacitors	6,600	5,436	0	1,164	Completed	
		Replace Truck #691	25,000	23,895	0	1,104	Completed	
		Total Substation	169,600	119,289	49,325	986		
		Actual	169,600	119,289	49,325	986		
Load Management	35-50-8375-7400	Load Management Switches	66,000	66,693	0	307	Completed	
		Actual	66,000	66,693	0	307		
Power Line Construction	35-50-8390-7400	2nd St./5th St Rebuild Engine	100,000	22,319	4,990	72,691	In Progress, reviewing draft design	
		High School Feeder relocation	180,000	66,912	105,512	8,577	OH complete, LK bid awarded 6/9/14	
		Grimesland Feeder Engineering	90,000	11,278	38,722	40,000	Add'l engineering re-work due to easement	
		NC 32 Feeder Engineering	50,000	14,297	18,697	17,106	In Progress, reviewing draft design	
		White Post/Slatstone Feeder	100,000	0	0	100,000	Delayed until FY 2014-15	

DISCUSSION – JACK’S CREEK UPDATES:

(memo from Allen Lewis, Public Works Director) At the July 14, 2014 Council meeting, Council asked staff about the pump station operations at Jack’s Creek in general and the fish that were introduced in the creek to help with the hydrilla and other vegetation in the creek.

On June 23, 2014, NC Wildlife Resources staff delivered forty-two (42) triploid grass carp with passive integrated transponder tags. These carp were introduced to the creek on the west side of the Brown Street bridge, just off East 4th Street. The carp were between 11”-14” long. They all appeared to do well in the transfer from the tank in which they were transported, to the creek.

On a daily basis when no precipitation is expected, the stormwater pump station is operated such that the water level in the creek is kept approximately 1.5’ below sea level. Prior to an anticipated significant rain event, the creek is normally pumped down to approximately 2’ to 2.5’ below sea level with the newly installed submersible pump. The four (4) large, 150 horsepower, 23,000 gallons per minute (GPM) pumps are set to come on automatically as the level in the creek rises from stormwater runoff. The first pump will come on automatically when the creek reaches approximately 1.3’ below sea level. The other pumps come on automatically at half foot intervals if the creek continues to rise. In other words, the second pump will automatically come on at approximately 0.8’ below sea level, the third at approximately 0.3’ below sea level and the fourth at approximately 0.2’ below sea level. Normally, staff is not called to monitor the pump station unless a second pump automatically comes on in order to keep overtime at a minimum. However, when staff knows that it’s only a matter of time before they are called in anyway, they take it upon themselves to report to the pump station. For example, on the evening of July 3, 2014, when we started to receive rainfall as a result of hurricane Arthur, staff came in before the second pump ever came on. Fortunately, this storm did not produce much street flooding at all due to less than anticipated rain amounts and staff reporting to work early. As a result, even though the winds from hurricane Arthur pulled the tide down extremely low, low enough for the flood gates to open, we did not manually crank the flood gates open completely. This was because the ‘town side’ of the creek was at a manageable level with the pumps and flood gates opening on their own. As a reminder, the flood gates start to open on their own when the level in the river is 6” below the water level on the upstream side of the pump station. (end)

Mr. Alligood noted the carp have not been in the creek very long (less than a month) and we are continuing to spray under the current contract to keep the algae down. Mr. Alligood stated staff would need time to see how the carp work out (they need time to eat). Discussion was held regarding the pumps in Jack’s Creek and when and/or how they operate. Mr. Alligood stated there have been conversations internally to determine if it would be prudent to open those gates, but the concern staff has with that is, the debris that moves back and forth from the river because there are no screens that would protect the trash from flowing into the river. Mayor Pro tem Roberson suggested let’s put the screens up and Mr. Alligood voiced that is only one of the concerns. Also, leaving it open will not allow the City with all the protection required when there is anticipation of a weather event. Mr. Alligood stated staff recommends allowing the carp some time to work to see if that will help with the duckweed.

REPORTS FROM BOARDS, COMMISSIONS AND COMMITTEES: NONE

APPOINTMENTS: TO WASHINGTON ELECTRIC UTILITIES ADVISORY BOARD & HISTORIC PRESERVATION COMMISSION

Councilman Pitt requested to postpone the Washington Electric Utilities Advisory Board appointment until August 11, 2014.

By motion of Councilman Beeman, seconded by Mayor Pro tem Roberson, Council appointed Mary Pat Musselman to the Historic Preservation Commission, to fill the expired term of Jerry Creech, term to expire June 30, 2017.

OLD BUSINESS:

ADOPT – BUDGET ORDINANCE AMENDMENT IN THE WATER FUND – RELOCATION OF WATER LINES (\$67,532)

City Manager, Brian Allgood explained this budget ordinance amendment is to fund the agreement that City Council entered on January 24, 2011 with NCDOT for relocation of water lines for the US 17 construction project. This project included the widening of US 17 north of Washington which necessitated the relocation of an existing City water line within NCDOT right of way along US 17 between Spring Road (SR 1509) and Cherry Run Road (SR 1001). At that time, the estimate for this work was \$131,120, as noted in the agreement. The actual cost was considerably less.

By motion of Councilman Mercer, seconded by Mayor Pro tem Roberson, Council adopted a budget ordinance amendment in the water fund for the relocation of an existing water line associated with the US 17 widening project north of Washington.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF WASHINGTON, N.C. FOR THE FISCAL YEAR 2014-2015

BE IT ORDAINED by the City Council of the City of Washington, North Carolina:

Section 1. That the following accounts of the Water Fund revenue budget be increased by the respective amounts indicated to pay for DOT provided utility improvements:

30-90-3991-9910	Fund Balance Appropriated	\$67,532
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Section 2. That the following accounts of the Water Fund appropriations budget be increased by the respective amounts indicated:

30-90-6610-5205	DOT Payments	\$67,532
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Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Adopted this the 28th day of July, 2014.

ATTEST:

**s/ Cynthia S. Bennett
City Clerk**

**s/Mac Hodges
Mayor**

NEW BUSINESS**ADOPT – RESOLUTION TO ACCEPT A GRANT FROM NCDOT TO FUND APPROACH SURVEYS & ANALYSIS OF RUNWAYS 5/23 & 17/35 (\$11,366)**

Mr. Alligood stated this is the NCDOT Aviation grant to do the approach survey and analysis of runways 5/23 and 17/35. This is the City's matching contribution of \$1,263, or 10% of the total \$12,629 total project cost.

Councilman Mercer inquired if the City needs to have the survey other than to determine if the trees are an obstruction. Mr. Alligood noted he understands we need to have the survey for them to do the new threshold on the runway and it must be certified. Councilman Mercer stated his concern is when you paint the threshold. Mr. Lewis stated they will not paint the threshold until after the survey is done.

By motion of Mayor Pro tem Roberson, seconded by Councilman Mercer, Council adopted the resolution to accept a grant in the amount of \$11,366 from the North Carolina Department of Transportation to fund the approach surveys and analysis of runways 5/23 and 17/35.

(copy attached)

ANY OTHER ITEMS FROM CITY MANAGER: NONE –**ANY OTHER BUSINESS FROM THE MAYOR OR OTHER MEMBERS OF COUNCIL:
BUDGET PROCESS**

Mayor Pro tem Roberson voiced he would like the City Council to consider the budget process. As Council is aware, we borrowed some money from Fund Balance to balance the budget. We need to find a way to balance the budget without drawing from Fund Balance. Discussion was held regarding departments with deficits and noted when you start losing a million dollars, we need to figure out a solution.

Mayor Pro tem Roberson feels Council should not wait until January to address the budget preparation and suggested designating a little time at each Council meeting to address eliminating the deficit. Mr. Alligood explained staff is on that path now to resolve/reduce this issue, but it would help staff if they received broad statements/guidelines from Council about what you are looking for. We are working with the business review committee now to identify the issues we have in Parks and Recreation.

Councilman Mercer listed two suggestions: (1) No Fund Balances appropriated to balance the departmental budget next year and (2) reduce transfers from the Electric Fund to at least \$250,000. We will either need to set fees high enough to balance the books or cut some of the activities that we are funding. Mr. Alligood agreed and said these are some very tough decision that Council will have to make: on the services that the City provides, who benefits from those, who pays for those services. The General Assembly did not do the City any favor when they removed the City's ability to charge for privilege license ~ this will be on top of what we had to deal with this year. There is a possibility we may be looking at a tax increase next fiscal year.

Mayor Pro tem Roberson suggested the next important thing is the revenue stream ~ he would like to know exactly what the projection would be on the revenue stream. If we don't have enough money we will either have to cut some of the services or find another source of revenue.

Councilman Brooks stated Council will have to determine what services to cut.

CLOSED SESSION – UNDER NCGS § 143-318.11(a)(6) PERSONNEL

By motion of Councilman Pitt, seconded by Councilman Brooks, Council agreed to enter into closed session under NCGS § 143-318.11(a)(6) personnel at 6:45 pm.

By motion of Councilman Brooks, seconded by Councilman Pitt, Council agreed to come out of closed session at 6:55 pm.

UPDATE – NCEMPA

Councilman Mercer stated he forwarded to Council the press release that went out at 9:00 am regarding the Power Agency meeting last week. Councilman Mercer briefed Council regarding approval of a draft asset purchase agreement and the full power purchase requirements that will supply the power to the power agency for the next 30 years. This was presented to the Board of Directors of ElectriCities on Friday and approved, the Duke Energy Power Board received the agreements and they approved them. The next step will be to file those papers with the Federal Energy Regulatory Commission and North Carolina Utilities Commission. If they are approved, the projection at the present time is July 1, 2015 (or a year from now) to have everything completed. Councilman Mercer expressed concerns that they will need some legislative approval in both North Carolina and South Carolina. The legislators will not come back into session until February of next year. If we sale the asset, our current level of debt will be drastically reduced to a proposed ten year debt repayment plan.

ADJOURN

By motion of Councilman Pitt, seconded by Councilman Brooks, Council adjourned the meeting at 7:00 pm until August 11, 2014 at 5:30pm in the Council Chambers at the Municipal Building.

(Subject to the Approval of the City Council)

**Cynthia S. Bennett, CMC
City Clerk**

Requisition Form

City Of Washington
P.O BOX 1988
WASHINGTON, NC 27889

Requisition #:14923
PO #: Not Assigned
User Name: Beverly Clark

Date: 07/23/2014
Approved By:
Approved Code: Awaiting Final Approval
Total Amount: \$24,051.00
Ship To:
CITY OF WASHINGTON WAREHOUSE
203 GRIMES ROAD
WASHINGTON, NC 27889

CAPITAL FORD OF WILMINGTON
4222 OLEANDER DRIVE
WILMINGTON, NC 28403

Vendor Instructions: GROUND MAINTENANCE, MIKE WHALEY. 252-975-9308 ATTN: JIM TORR REPLACES #810

Quantity	Description	Job Number	Unit Price	Extended
1	FORD F150-XIE-XL-100A PICKUP, 4 WHEEL DRIVE, EXTENDED CAB FOR STATE CONTRACT #070G. ITEM #27.A) EXTERIOR COLOR: WHITE, B) INTERIOR COLOR: BLUE OR GRAY VINYL, C) FREIGHT INCLUDED, D) TITLE TO CITY OF WASHINGTON, P.O. BOX 1988, WASHINGTON NC 27889. VEHICLE TO BE DELIVERED TO THE CITY OF WASHINGTON		\$24,051.00	\$24,051.00
Sub Total				\$24,051.00
Total Tax				\$0.00
Total				\$24,051.00

Account Number	Account Description	Amount
10-40-6130-7400	CAPITAL OUTLAY	\$24,051.00
Total		\$24,051.00

Approval List

Dept Level Approval:	_____
Department Head:	_____
PO Level Approval:	_____
Purchase Order Prep:	_____

August 11, 2014

Requisition Form

City Of Washington
P.O BOX 1988
WASHINGTON, NC 27889

Requisition #:14927
PO #: Not Assigned
User Name: Mike RJ

Date: 07/23/2014

Approved By:
Approved Code: Awaiting Final Approval
Total Amount: \$23,401.00

PIEDMONT TRUCK CENTER
412 S. REGIONAL ROAD
GREENSBORO, NC 27409

Ship To:
CITY OF WASHINGTON WAREHOUSE
203 GRIMES ROAD
WASHINGTON, NC 27889

Vendor Instructions: Grounds Maintenance, Mike Whaley, 252-975-9308. Attn: Spencer To replace vehicle #807.

Quantity	Description	Job Number	Unit Price	Extended
1	F350/F3C/XL/620A Cab and Chassis, dual rear wheels from State Contract #070G, Item #52. A) Exterior color: White, B) Interior color: blue or gray vinyl, C) Freight included, D) Title to: City of Washington, PO Box 1988, Washington, NC 27889.		\$20,424.00	\$20,424.00
1	60" CA- Cab to axle - cab and chassis - GVWR 13,700 LBS.		\$2,760.00	\$2,760.00
1	Trailer brake controller.		\$217.00	\$217.00
			Sub Total	\$23,401.00
			Total Tax	\$0.00
			Total	\$23,401.00

Account Number	Account Description	Amount
10-40-6130-7400	CAPITAL OUTLAY	\$23,401.00
Total		\$23,401.00

Approval List

Dept Level Approval: _____
Department Head: _____
PO Level Approval: _____
Purchase Order Prep: _____

August 11, 2014

Requisition Form

City Of Washington
P.O BOX 1988
WASHINGTON, NC 27889

Requisition #:14948
PO #: Not Assigned
User Name: Michele Scannell

Date: 07/28/2014

Approved By:
Approved Code: Awaiting Final Approval
Total Amount: \$24,189.00

BLACKBOARD INC.
15301 VENTURA BLVD.
SHERMAN OAKS, CA 91403

Ship To:
CITY OF WASHINGTON WAREHOUSE
203 GRIMES ROAD
WASHINGTON, NC 27889

Vendor Instructions:DO NOT MAIL Annual payment for phone call notification system for customers Michele Scannell Customer Service

Quantity	Description	Job Number	Unit Price	Extended
1	DO NOT MAIL Annual payment for phone call notification system for customers Michele Scannell Customer Service		\$24,189.00	\$24,189.00
Sub Total				\$24,189.00
Total Tax				\$0.00
Total				\$24,189.00

Account Number	Account Description	Amount
10-00-4135-5300	DUES & SUBSCRIPTIONS	\$24,189.00
Total		\$24,189.00

Approval List

Dept Level Approval: _____
Department Head: _____
PO Level Approval: _____
Purchase Order Prep: _____

August 11, 2014

Requisition Form

City Of Washington
P.O BOX 1988
WASHINGTON, NC 27889

Requisition #:14958
PO #: Not Assigned
User Name: Beverly Clark

Date: 07/29/2014
Approved By:
Approved Code: Awaiting Final Approval
Total Amount: \$175,000.00

ASPLUNDH TREE EXPERT COMPANY
708 BLAIR MILL ROAD
WILLOW GROVE, PA 19090

Ship To:
CITY OF WASHINGTON WAREHOUSE (HLEC)
203 GRIMES ROAD
WASHINGTON, NC 27889

Vendor Instructions: Andy Pollard 252-975-9315

Quantity	Description	Job Number	Unit Price	Extended
1	Tree Trimming		\$175,000.00	\$175,000.00
			Sub Total	\$175,000.00
			Total Tax	\$0.00
			Total	\$175,000.00

Account Number	Account Description	Amount	
35-90-8380-4501	CONTRACT SERVICE-TREE TRIM	\$175,000.00	
		Total	\$175,000.00

Approval List

Dept Level Approval: _____
Department Head: _____
PO Level Approval: _____
Purchase Order Prep: _____

August 11, 2014

Requisition Form

City Of Washington
P.O BOX 1988
WASHINGTON, NC 27889

Requisition #:14981
PO #: Not Assigned
User Name: Anita Radcliffe

Date: 08/01/2014
Approved By:
Approved Code: Awaiting Final Approval
Total Amount: \$41,350.00

LOGICS, LLC
1001 NAVAHOE DR. SUITE 204
RALEIGH, NC 27609

Ship To:
CITY OF WASHINGTON WAREHOUSE
203 GRIMES ROAD
WASHINGTON, NC 27889

Vendor Instructions: FINANCE DEPT.
ANITA RADCLIFFE
252-975-9301

Quantity	Description	Job Number	Unit Price	Extended
1	SOFTWARE ANNUAL MAINTENANCE AGREEMENT		\$41,350.00	\$41,350.00
			Sub Total	\$41,350.00
			Total Tax	\$0.00
			Total	\$41,350.00

Account Number	Account Description	Amount	
10-00-4130-4504	CONTRACT SERVICES - SOFTWARE	\$41,350.00	
		Total	\$41,350.00

Approval List

Dept Level Approval: _____
Department Head: _____
PO Level Approval: _____
Purchase Order Prep: _____

August 11, 2014

Load Management Device Installation Report

Project Start Date : October 2010

	June 2014	Project to Date
Total Load Management Device Installations	33	2,808
<hr/>		
Total Accounts Added with Load Management	25	2,023
<hr/>		
Appliance Control Installations		
Air Conditioner / Heat Pump	26	2,099
Auxiliary Heat Strip	10	1,069
Electric Furnace	0	276
Water Heater	12	1,635
<hr/>		
Total Encumbrances to Date		
Load Management Devices		\$ 130,600
Contractor Installations		\$ 280,000
Total Project Encumbrances		\$ 410,600
<hr/>		
Total Expenses to Date		
Load Management Device Purchases		\$ 130,600
Contractor Installation Expenses	\$ 2,785	\$ 276,935
Total Project Expenses		\$ 407,535
<hr/>		
Average Cost per Load Management Device Installed		\$ 145.13
Average Installed Cost per Controlled Appliance		\$ 80.24

Load Management Devices Remaining in Stock 692



REQUEST FOR CITY COUNCIL ACTION

To: Mayor Hodges & Members of the City Council
From: Cynthia S. Bennett, City Clerk
Date: July 31, 2014
Subject: Appointment to Washington Electric Utilities Advisory Board & Parks and Recreation Advisory Committee
Applicant Presentation: N/A
Staff Presentation: N/A

RECOMMENDATION:

I move that the City Council appoint _____ to the Washington Electric Utilities Advisory Board, to fill the un-expired term of **James Gaynor (inside)**, term to expire June 30, 2015.

I move that the City Council appoint _____ to the Parks and Recreation Advisory Committee to fill the expired term of **Audrey Woolard (inside)**, term to expire June 30, 2017.

BACKGROUND AND FINDINGS:

Advertisements were published in the Washington Daily News and Cable 9 for vacancies for expiring terms on various boards, commissions, and committees. Copies of all applications received were distributed to the department heads to allow them time to meet with the Council liaisons (William Pitt – Electric Advisory & Richard Brooks – Parks and Recreation). Nominations will be made by the Council liaison at the August 11, 2014 Council meeting.

PREVIOUS LEGISLATIVE ACTION

N/A

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation No Fiscal Impact

SUPPORTING DOCUMENTS

Board Applications

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: 8/5/14 Date Concur but Recommend Denial _____ No recommendation _____

August 11, 2014

Requested Board 1. WASHINGTON TOURISM DEVELOPMENT BOARD

2. PLANNING BOARD

3. WASHINGTON ELECTRIC UTILITIES ADVISORY COMMISSION

CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS, AND/OR AUTHORITY OF THE CITY OF WASHINGTON

NAME NORMAN V HAWN

ADDRESS 102 E 14TH ST WASHINGTON, NC 27889

PHONE (WORK) _____ (HOME) 704-574-6786

E-MAIL ADDRESS NORMAN9987@HOTMAIL.COM

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON? YES NO

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 7 YEARS

YEARS OF EDUCATION HS w/ SOME COLLEGE

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES NO

IF YES, PLEASE INDICATE _____

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A BOARD/COMMISSION? NO IF YES, EXPLAIN _____

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT (s) (OPTIONAL): Use back of sheet if additional space is needed.

MUCH OF MY TIME IS SPENT ENJOYING THE LOCAL WATERWAYS AND ENGAGING WITH THE COMMUNITY. I'M HEAVILY INVOLVED WITH SEVERAL SAILING CLUBS, AND RECREATIONAL ACTIVITIES. I'VE SPENT SOME TIME DISCUSSING VARIOUS OPPORTUNITIES AND IDEAS TO INCREASE INVOLVEMENT WITHIN THE LOCAL AND REGIONAL COMMUNITY WITH MEMBERS OF

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions AND, in the event you are appointed, it may be used as a news release to identify you to the community.

16 MAY 2014

Date

[Signature]
Signature

NOTE: Application will remain on file for six (6) months. Expiration Date: _____

VARIOUS BOARDS/COMMITTEES SUCH AS TOWN COUNCIL MEMBERS, AND HISTORIC & TOURISM MEMBER IT'S WITH THEIR SUGGESTION THAT I HAVE DECIDED TO STEP FROM A PASSIVE TO ACTIVE MEMBER ON THE TOURISM BOARD.

I'M QUALIFIED FOR THE PLANNING AND ELECTRIC BOARDS FROM MY EXPERIENCES IN THE MILITARY AND MY CURRENT POSITION AS MANAGEMENT IN A LOCAL BUSINESS HERE IN TOWN. OVER SEEING LARGE CONTRACTS AND SEEING THE DIRECT EFFECTS OF LOCAL POLICY AND REGULATION AND IT'S IMPACT ON THE SURVIVAL AND SUCCESS OF LOCAL BUSINESSES PUTS ME IN AN ADVANTAGEOUS POSITION TO PROVIDE INSIGHT ON THE CAUSE/EFFECT RELATIONSHIP OF POLICY AND ECONOMY.

Primary Board Electric Utilities Other Boards HUMAN REL.

**CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS,
AND/OR AUTHORITY OF THE CITY OF WASHINGTON**

NAME SUSAN FRANCIS
(Please Print)

ADDRESS 1300 N. BONNER ST.

PHONE NO. (BUSINESS) - (HOME) 946-7296

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON? YES NO

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 47 YEARS

YEARS OF EDUCATION 12 + A LITTLE

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES NO
IF YES, PLEASE INDICATE _____

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A BOARD/COMMISSION? No IF YES, EXPLAIN _____

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT(S)
(OPTIONAL): Use back of sheet if additional space is needed

CONCERNED ABOUT my Electric Service and Bills
and what goes on!

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions AND, in the event you are appointed, it may be used as a news release to identify you to the community.

Susan R Francis
Signature

5-20-14
Date

NOTE: Application will remain on file for six (6) months Expiration Date: _____

Requested Board Recreation

CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS, AND/OR AUTHORITY OF THE CITY OF WASHINGTON

NAME Leah Pyburn

ADDRESS 100 Inda Way

PHONE (WORK) _____ (HOME) 252-946-4873

E-MAIL ADDRESS pyburnla@yahoo.com

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON? YES NO

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 36 years YEARS

YEARS OF EDUCATION 12th grade

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES NO

IF YES, PLEASE INDICATE _____

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A BOARD/COMMISSION? NO IF YES, EXPLAIN _____

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT (s) (OPTIONAL): Use back of sheet if additional space is needed.

Having been a resident of Beaufort County for over 34 years, I've been able to watch the Senior Center grow since its beginning. I've been able to take advantage of some of its many and varied opportunities – amazed at all the programs it offers to all the seniors of this county. Because of my interest and enthusiasm for the Center, I feel qualified to represent it.

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions AND, in the event you are appointed, it may be used as a news release to identify you to the community.

Date July 15, 2014

Signature Leah Pyburn

NOTE: Application will remain on file for six (6) months. Expiration Date: _____



REQUEST FOR CITY COUNCIL ACTION

To: Mayor Hodges & Members of the City Council
From: Matt Rauschenbach, Administrative Services Director/C.F.O.
Date: August 11, 2014
Subject: Keys Landing Curb Cuts
Applicant Presentation: N/A
Staff Presentation: Matt Rauschenbach

RECOMMENDATION:

I move that City Council authorize staff to proceed with installing three curb cuts at the Keys Landing subdivision with an agreement for the developer to reimburse the City \$1,320/lot when the homes are sold.

BACKGROUND AND FINDINGS:

Three homes are being constructed at this CDBG grant subdivision and the driveways do not align with the curb cuts. The developer, Metropolitan Housing, committed to the Department of Commerce to close on three homes by August 31st and the final two homes by November 30th.

PREVIOUS LEGISLATIVE ACTION

Council Action on July 28, 2014 failed for lack of a four vote majority.

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact .

SUPPORTING DOCUMENTS

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: Concur _____ Recommend Denial _____ No Recommendation
8/14/14 Date



REQUEST FOR CITY COUNCIL ACTION

To: Mayor Hodges & Members of the City Council
From: Matt Rauschenbach, Administrative Services Director/C.F.O.
Date: August 11, 2014
Subject: Airport Vision 100 Grant Budget Ordinance Amendment
Applicant Presentation: N/A
Staff Presentation: Matt Rauschenbach

RECOMMENDATION:

I move that City Council adopt a Budget Ordinance Amendment to reallocate the 2011 and 2012 Vision 100 grants.

BACKGROUND AND FINDINGS:

The 2011 and 2012 Vision 100 grants require reallocation to the specific grant being utilized for.

PREVIOUS LEGISLATIVE ACTION

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact .

SUPPORTING DOCUMENTS

Budget Ordinance Amendment

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: 5/2 Concur _____ Recommend Denial _____ No Recommendation
8/21/14 Date

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2014-2015**

BE IT ORDAINED by the City Council of the City of Washington, North Carolina:

Section 1. That the Estimated Revenues in the Airport Fund be increased or decreased by the following amounts to reallocate the 2011 & 2012 Vision 100 grant funds:

37-90-3490-0009	Vision 100 36237.38.10.1	\$ (10,093)
37-90-3490-0010	Vision 100 36237.38 TBA	10,093
37-90-3490-0010	Vision 100 36237.38 TBA	1,273
37-90-3991-9910	Fund Balance Appropriated	<u>141</u>
	Total	\$ 1,414

Section 2. That the Airport Fund appropriations budget be increased or decreased by the following amounts:

37-90-4530-4515	Vision 100 36237.38.10.1	\$ (11,213)
37-90-4530-4523	Vision 100 36237.38 TBA	11,213
37-90-4530-4523	Vision 100 36237.38 TBA	<u>1,414</u>
	Total	\$ 1,414

Section 3. That the Estimated Revenues in the Airport Terminal Grant Fund be increased or decreased by the following amounts to reallocate the 2011 & 2012 Vision 100 grant funds:

66-90-3490-0004	State Aid	\$ (1,273)
66-90-3352-0000	City Contribution	(141)
	Total	\$ (1,414)

Section 4. That the Airport Terminal Grant Fund appropriations budget be increased or decreased by the following amounts:

66-90-4530-0400	Professional Services	\$ (1,414)
-----------------	-----------------------	-------------

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall become effective upon its adoption.

Adopted this the 11th day of August, 2014.

MAYOR

ATTEST:

CITY CLERK



REQUEST FOR CITY COUNCIL ACTION

To: Mayor Hodges & Members of the City Council
From: Matt Rauschenbach, Administrative Services Director/C.F.O.
Date: August 11, 2014
Subject: Budget Ordinance 2013-2014 Projects Not Completed
Applicant Presentation: N/A
Staff Presentation: Matt Rauschenbach

RECOMMENDATION:

I move that City Council adopt a Budget Ordinance Amendment to appropriate funds for projects that were budgeted in FY 2013-2014 and not completed.

BACKGROUND AND FINDINGS:

The projects on the attached schedule were budgeted in FY 2013-2014 but not completed.

PREVIOUS LEGISLATIVE ACTION

Prior year's budget.

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact

SUPPORTING DOCUMENTS

Budget Ordinance Amendment
Project List

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: *Recd* Concur _____ Recommend Denial _____ No Recommendation
8/11/14 Date

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2014-2015**

BE IT ORDAINED by the City Council of the City of Washington, North Carolina:

Section 1. That the following accounts of the General Fund revenue budget be increased or decreased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

10-00-3991-9910	Fund Balance Appropriated	\$ 146,382
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Section 2. That the following accounts of the General Fund appropriations budget be increased or decreased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

10-20-4511-4500	Street Paving	\$ 141,982
10-40-6170-9113	Veterans Park	<u>4,400</u>
	Total	146,382

Section 3. That the following accounts of the Water Fund revenue budget be increased or decreased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

30-90-3991-9910	Fund Balance Appropriated	\$ 93,386
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Section 4. That the following accounts of the Water Fund appropriations budget be increased or decreased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

30-90-8189-7400	Capital Outlay	93,386
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Section 5. That the following accounts of the Electric Fund revenue budget be increased or decreased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

35-90-3991-9910	Fund Balance Appropriated	\$ 237,221
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Section 6. That the following accounts of the Electric Fund appropriations budget be increased or decreased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

35-90-8390-7400	Capital Outlay	237,221
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Section 7. That the following accounts of the Warren Field Airport Fund revenue budget be increased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

37-90-3453-0005	Grant Funds 36244.51.8.1	\$ 6,221
37-90-3490-0008	Grant Funds 36244.51.8.2	11,787
37-90-3991-9910	Fund Balance Appropriated	<u>2,002</u>
	Total	20,010

Section 8. That the following accounts of the Warren Field Airport Fund appropriations budget be increased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

37-90-4530-4521	Vision 100 Grant 36244.51.8.1	\$ 6,913
37-90-4530-4522	Vision 100 Grant 36244.51.8.2	<u>13,097</u>
	Total	20,010

Section 9. That the following accounts of the Cemetery Fund revenue budget be increased or decreased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

39-90-3991-9910	Fund Balance Appropriated	\$ 7,223
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Section 10. That the following accounts of the Cemetery Fund appropriations budget be increased or decreased by the respective amounts indicated for projects budgeted but not completed in 2013-2014:

39-90-4740-5600	Materials	\$ 7,223
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Section 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 12. This ordinance shall become effective upon its adoption.

Adopted this the 11th day of August, 2014.

MAYOR

ATTEST:

CITY CLERK

Project Carry Forward 2014

<u>Account</u>	<u>Account Description</u>	<u>Project Description</u>	<u>Amount</u>
10-20-4511-4500	Street Paving	Paving of city streets	141,982
10-40-6170-9113	Veterans Park	Signage at Veterans Park	<u>4,400</u>
		Total	146,382
30-90-8180-7400	Capital Outlay	Summitt Avenue water line construction	93,386
35-90-8390-7400	Capital Outlay	2nd St/5th rebuild engineering	71,538
35-90-8390-7400	Capital Outlay	High School feeder relocation	8,577
35-90-8390-7400	Capital Outlay	Grimesland feeder engineering	40,000
35-90-8390-7400	Capital Outlay	NC 32 feeder engineering	17,106
35-90-8390-7400	Capital Outlay	White Post/ Slatestone Feeder	<u>100,000</u>
		Total	237,221
37-90-4530-4521	Airport Grant 36244.51.8.1	Drainage improvements engineering	6,913
37-90-4530-4522	Airport Grant 36244.51.8.2	Drainage improvements construction	<u>13,097</u>
		Total	20,010
39-90-4740-5600	Materials	Cemetery storm drain repairs	7,223



REQUEST FOR CITY COUNCIL ACTION

To: Mayor Mac Hodges & Members of the City Council
From: Matt Rauschenbach, Administrative Services Director/C.F.O.
Date: August 11, 2014
Subject: Adopt a Budget Ordinance Amendment for Outstanding Purchase Orders From FY 13/14

Applicant Presentation: N/A
Staff Presentation: Matt Rauschenbach

RECOMMENDATION:

I move that City Council adopt a budget ordinance amendment for purchase orders outstanding from fiscal year 2013-2014 that are being brought forward into fiscal year 2014-2015 for payment.

BACKGROUND AND FINDINGS:

At the close of fiscal year 2013-2014 the City had the following amount of outstanding purchase orders, by fund, issued for service contracts and merchandise:

General Fund	\$154,665
Water Fund	167,638
Sewer Fund	106,562
Electric Fund	232,126
Solid Waste Fund	861
Cemetery Fund	700
Total	\$ 662,552

Funding for these outstanding purchase orders is restricted in fund balance at June 30, 2014. Therefore, the funding needs to be appropriated in the current fiscal year for spending.

PREVIOUS LEGISLATIVE ACTION

2013-2014 adopted budget and amended budget.

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation _____
No Fiscal Impact

SUPPORTING DOCUMENTS

- Open Purchase Order Listing
- Budget Ordinance Amendment

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: Concur _____ Recommend Denial _____ No Recommendation
8/11/14 Date

**AN ORDINANCE TO AMEND THE BUDGET ORDINANCE
OF THE CITY OF WASHINGTON, N.C.
FOR THE FISCAL YEAR 2014-2015**

BE IT ORDAINED by the City Council of the City of Washington, North Carolina:

Section 1. That the following amounts are hereby appropriated for spending in FY 14/15 in order to satisfy existing contracts, grant obligations, and purchase orders at the end of last fiscal year.

Schedule A. General Fund

Human Resources	\$300
Information Systems	28,933
Fire	8,105
Code Enforcement	1,427
Planning/Zoning	1,000
Public Works Administration	330
Library	1,237
Recreation Administration	2,140
Recreation Events & Facilities	315
Senior Programs	18,406
Waterfront Docks	10,370
Aquatic Center	2,711
Parks & Grounds	76,871
Outside Agency	<u>2,520</u>
Total	\$154,665

Schedule B. Water Fund

Water Administration	500
Water Meter Service	10,000
Water Treatment Plant	5,543
Water Maintenance	10,893
Water Construction	<u>140,702</u>
Total	\$167,638

Schedule C. Sewer Fund

Miscellaneous	\$74,094
Wastewater Administration	300
Wastewater Maintenance	630
Wastewater Treatment Plant	22,255
Sewer Lift Stations	<u>9,283</u>
Total	\$106,562

Schedule D. Electric Fund

Electric Administration	\$9,543
Meter Services	1,740
Utility Communications	62,369
Power Line Maintenance	501
Power Line Construction	<u>157,973</u>
Total	\$232,126

Schedule E. Solid Waste Fund

Operations	\$861
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Schedule F. Cemetery Fund

Operations	\$700
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Section 2. That the following revenues be increased in the respective amounts to meet the foregoing obligations:

General Fund Balance Appropriated	154,665
Water Fund Balance Appropriated	167,638
Sewer Fund Balance Appropriated	106,562
Electric Fund Balance Appropriated	232,126
Solid Waste Fund Balance Appropriated	861
Cemetery Fund Balance Appropriated	<u>700</u>
Total	\$662,552

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its adoption.

Adopted this the 11th day of August, 2014.

MAYOR

ATTEST:

CITY CLERK

City of Washington
Purchase Orders by Department

PO #	PO Date	Vendor #	Vendor Name	Account #	Account Name	Encumbered	Liquidated	Balance
51733	5/1/2014	2503	JERSEY MIKE'S	10-00-4125-4500	WELLNESS PROGRAM 10-00-4125	300.00 300.00	0.00 0.00	300.00 300.00
					Dept. Total			
51708	4/30/2014	9891	THE SOUND SIDE GROUP INC.	10-00-4132-7400	CAPITAL OUTLAY	1,206.00	0.00	1,206.00
51895	5/29/2014	1485	SEABOARD SECURITY SYSTEMS	10-00-4132-1603	MAINT/REPAIR COMPUTERS	286.14	(59.00)	227.14
52096	6/18/2014	9891	THE SOUND SIDE GROUP INC.	10-00-4132-7400	CAPITAL OUTLAY	6,916.50	0.00	6,916.50
52097	6/18/2014	9891	THE SOUND SIDE GROUP INC.	10-00-4132-7400	CAPITAL OUTLAY	19,063.38	0.00	19,063.38
52098	6/18/2014	9891	THE SOUND SIDE GROUP INC.	10-00-4132-7400	CAPITAL OUTLAY 10-00-4132	1,520.00 28,992.02	0.00 (59.00)	1,520.00 28,933.02
					Dept. Total			
51773	5/7/2014	10698	C.W. WILLIAMS & COMPANY INC.	10-10-4340-7400	CAPITAL OUTLAY 10-10-4340	8,105.00 8,105.00	0.00 0.00	8,105.00 8,105.00
					Dept. Total			
52102	6/19/2014	8324	LYONS CUSTOM BUILDERS	10-10-4350-4500	CONTRACT SERVICES	1,200.00	0.00	1,200.00
52103	6/20/2014	1694	TURNER PEST CONTROL INC.	10-10-4350-4500	CONTRACT SERVICES 10-10-4350	227.00 1,427.00	0.00 0.00	227.00 1,427.00
					Dept. Total			
52074	6/16/2014	13624	MOSLEY DESIGN GROUP	10-10-4910-0400	PROFESSIONAL SERVICE 10-10-4910	2,500.00 2,500.00	(1,500.00) (1,500.00)	1,000.00 1,000.00
					Dept. Total			
51744	5/2/2014	2538	BOBBY COLE JR.	10-30-4700-3300	DEPARTMENTAL SUPPLIES 10-30-4700	330.00 330.00	0.00 0.00	330.00 330.00
					Dept. Total			
51638	4/11/2014	550	DEMCO	10-40-6110-3300	DEPARTMENTAL SUPPLIES	491.59	(32.98)	458.61
51902	5/29/2014	3545	WORLD BOOK, INC.	10-40-6110-5601	MEMORIAL REIMBURSABLES 10-40-6110	778.87 1,270.46	0.00 (32.98)	778.87 1,237.48
					Dept. Total			
51960	6/6/2014	10066	EAST CAROLINA PLUMBING	10-40-6120-1500	MAINTENANCE/REPAIR BLDG	425.00	0.00	425.00
52100	6/18/2014	10143	OFFICE DEPOT BUSINESS SERVICES DIVISI	10-40-6120-7000	NONCAPITALIZED PURCHASES	982.36	0.00	982.36
52127	6/24/2014	10143	OFFICE DEPOT BUSINESS SERVICES DIVISI	10-40-6120-7000	NONCAPITALIZED PURCHASES 10-40-6120	732.55 2,139.91	0.00 0.00	732.55 2,139.91
					Dept. Total			
51780	5/8/2014	13476	UNIVERSAL SEPTIC, INC.	10-40-6121-4800	SPECIAL EVENT CONCESSIONS 10-40-6121	390.00 390.00	(75.00) (75.00)	315.00 315.00
					Dept. Total			
51630	4/7/2014	13864	HORTON CONTRACTORS INC	10-40-6123-4504	MIDEAST GRANT - CTR.	1,650.00	0.00	1,650.00
51838	5/16/2014	13864	HORTON CONTRACTORS INC	10-40-6123-4504	MIDEAST GRANT - CTR.	850.00	0.00	850.00
52026	6/11/2014	1485	SEABOARD SECURITY SYSTEMS	10-40-6123-4504	MIDEAST GRANT - CTR.	2,254.00	0.00	2,254.00
52027	6/11/2014	6727	HORTON CONTRACTOR INC.	10-40-6123-4504	MIDEAST GRANT - CTR.	4,100.00	0.00	4,100.00
52105	6/20/2014	9891	THE SOUND SIDE GROUP INC.	10-40-6123-4504	MIDEAST GRANT - CTR.	7,070.40	0.00	7,070.40
52161	6/27/2014	4872	DELL	10-40-6123-4504	MIDEAST GRANT - CTR.	1,913.89	0.00	1,913.89
52162	6/27/2014	10143	OFFICE DEPOT BUSINESS SERVICES DIVISI	10-40-6123-4504	MIDEAST GRANT - CTR. 10-40-6123	849.26 18,687.55	(281.63) (281.63)	567.63 18,405.92
					Dept. Total			
52124	6/23/2014	14963	EAST COAST AP MARKETING	10-40-6124-3600	EMPLOYEE UNIFORMS	300.00	0.00	300.00
52149	6/26/2014	15117	WAYNE HARDISON	10-40-6124-1501	MAINT/REPAIR GROUNDS	5,070.00	0.00	5,070.00
52177	6/30/2014	231	BIG BARGIN FURNITURE & SUPPLY	10-40-6124-7000	NONCAPITALIZED PURCHASES 10-40-6124	5,000.00 10,370.00	0.00 0.00	5,000.00 10,370.00
					Dept. Total			

PO #	PO Date	Vendor #	Vendor Name	Account #	Account Name	Encumbered	Liquidated	Balance
51688	4/28/2014	5424	TELECOMMUNICATIONS, INC.	10-40-6126-1500	MAINT/REPAIR BUILDING	688.00	0.00	688.00
51857	5/22/2014	13463	TURNING POINT RENOVATIONS & REMODEL	10-40-6126-1500	MAINT/REPAIR BUILDING	1,902.56	0.00	1,902.56
52067	6/13/2014	649	ENECO EAST	10-40-6126-1600	MAINT/REPAIR EQUIPMENT 10-40-6126	1,055.00	(935.00)	120.00
					Dept. Total	3,645.56	(935.00)	2,710.56
51821	5/15/2014	8324	LYONS CUSTOM BUILDERS	10-40-6130-7400	CAPITAL OUTLAY	57,930.00	0.00	57,930.00
51930	6/2/2014	15092	T&G INDUSTRIAL SERVICES	10-40-6130-1500	MAINT/REPAIR BUILDING	7,673.42	(3,836.71)	3,836.71
51933	6/3/2014	15093	FACILI-SERVE	10-40-6130-1501	MAINT/REPAIR GROUNDS	13,414.00	0.00	13,414.00
51934	6/3/2014	8324	LYONS CUSTOM BUILDERS	10-40-6130-7400	CAPITAL OUTLAY 10-40-6130	1,690.00	0.00	1,690.00
					Dept. Total	80,707.42	(3,836.71)	76,870.71
51588	3/21/2014	416	CITY OF WASHINGTON	10-40-6170-9113	VETERANS PARK 10-40-6170	5,975.00	(3,455.00)	2,520.00
					Dept. Total	5,975.00	(3,455.00)	2,520.00
51744	5/2/2014	2538	BOBBY COLE JR.	30-90-7220-3300	DEPARTMENTAL SUPPLIES 30-90-7220	500.00	0.00	500.00
					Dept. Total	500.00	0.00	500.00
51706	4/30/2014	1059	MILLER SUPPLY CO., INC.	30-90-7250-7000	NONCAPITALIZED PURCHASES 30-90-7250	10,000.00	0.00	10,000.00
					Dept. Total	10,000.00	0.00	10,000.00
51172	10/17/2013	9117	ENVIRONMENTAL RESOURCES ASSOC.	30-90-8100-4501	CONTRACT LAB SERVICES	1,199.77	(572.15)	627.62
51621	4/7/2014	1301	THE PERKINSON CO.	30-90-8100-1600	MAINT/REPAIR PLANT EQUIP 30-90-8100	6,390.00	(1,475.00)	4,915.00
					Dept. Total	7,589.77	(2,047.15)	5,542.62
51478	2/11/2014	10036	QUALITY TRUCK BODIES	30-90-8140-4500	CONTRACT SERVICES	3,500.00	0.00	3,500.00
51478	2/11/2014	10036	QUALITY TRUCK BODIES	30-90-8140-7400	CAPITAL OUTLAY 30-90-8140	7,392.61	0.00	7,392.61
					Dept. Total	10,892.61	0.00	10,892.61
49121	6/20/2012	1430	RIVERS & ASSOCIATES INC.	30-90-8180-0400	PROFESSIONAL SERVICE	69,676.52	(8,023.84)	61,652.68
51485	2/14/2014	13737	THE EAST GROUP	30-90-8180-7400	CAPITAL OUTLAY	14,000.00	(10,150.00)	3,850.00
51703	4/30/2014	3103	S.T WOOTEN CORPORATION	30-90-8180-5603	MATERIAL RESURFACING	3,000.00	0.00	3,000.00
52045	6/12/2014	15110	KBS CONSTRUCTION COMPANY, LLC	30-90-8180-7400	CAPITAL OUTLAY	71,570.00	0.00	71,570.00
52102	6/19/2014	8324	LYONS CUSTOM BUILDERS	30-90-8180-5600	MATERIALS 30-90-8180	630.00	0.00	630.00
					Dept. Total	158,876.52	(18,173.84)	140,702.68
50394	5/14/2013	189	BEAUFORT COUNTY	32-90-6610-5703	CDBG CLAWBACK CARVER 32-90-6610	111,141.61	(37,047.20)	74,094.41
					Dept. Total	111,141.61	(37,047.20)	74,094.41
51744	5/2/2014	2538	BOBBY COLE JR.	32-90-7220-3300	DEPARTMENTAL SUPPLIES 32-90-7220	300.00	0.00	300.00
					Dept. Total	300.00	0.00	300.00
52102	6/19/2014	8324	LYONS CUSTOM BUILDERS	32-90-8200-5600	MATERIALS 32-90-8200	630.00	0.00	630.00
					Dept. Total	630.00	0.00	630.00
51534	3/7/2014	11740	HOLLAND INDUSTRIAL	32-90-8220-1600	MAINT./REPAIR PLANT	1,780.00	(500.00)	1,280.00
51535	3/7/2014	13723	MEASUREMENT SPECIALTIES INC.	32-90-8220-1600	MAINT./REPAIR PLANT	665.00	0.00	665.00
52107	6/20/2014	12260	SCHWEITZER ENGINEERING LABORATORIE	32-90-8220-1603	MAINT./REPAIR MONITO	5,710.00	0.00	5,710.00
52170	6/30/2014	15092	T&G INDUSTRIAL SERVICES	32-90-8220-7000	NONCAPITALIZED PURCHASES 32-90-8220	14,600.00	0.00	14,600.00
					Dept. Total	22,755.00	(500.00)	22,255.00
51550	3/11/2014	630	EDWARDS MACHINE & WELDING	32-90-8230-7400	CAPITAL OUTLAY	34,941.31	(34,075.00)	866.31
51965	6/6/2014	1582	STAPLES BUSINESS ADVANTAGE	32-90-8230-3300	DEPARTMENTAL SUPPLIES	509.99	0.00	509.99
52039	6/12/2014	630	EDWARDS MACHINE & WELDING	32-90-8230-7400	CAPITAL OUTLAY	50.00	0.00	50.00
52171	6/30/2014	630	EDWARDS MACHINE & WELDING	32-90-8230-7400	CAPITAL OUTLAY	1,500.00	(752.70)	747.30

PO #	PO Date	Vendor #	Vendor Name	Account #	Account Name	Encumbered	Liquidated	Balance
52172	6/30/2014	3757	MCNAUGHTON-MCKAY ELECTRIC CO	32-90-8230-1600	MAINT./REPAIR PUMPS	109.40	0.00	109.40
52174	6/30/2014	8226	CITY ELECTRIC SUPPLY, INC.	32-90-8230-7400	CAPITAL OUTLAY	5,000.00	0.00	5,000.00
52175	6/30/2014	987	LOWES	32-90-8230-7400	CAPITAL OUTLAY	1,000.00	0.00	1,000.00
52176	6/30/2014	837	INDUSTRIAL & CONSTRUCTION	32-90-8230-7400	CAPITAL OUTLAY	1,000.00	0.00	1,000.00
					32-90-8230			
					Dept. Total	44,110.70	(34,827.70)	9,283.00
52121	6/23/2014	252	BOOTH & ASSOCIATES, INC.	35-90-7220-0400	PROFESSIONAL SERVICES	10,000.00	(1,037.75)	8,962.25
52142	6/25/2014	14895	WIRELESS VENTURES, LLC	35-90-7220-1700	MAINT/REPAIR VEHICLE	581.00	0.00	581.00
					35-90-7220			
					Dept. Total	10,581.00	(1,037.75)	9,543.25
51661	4/22/2014	1808	WESTINGHOUSE ELECTRIC SUPPLY	35-90-7250-7400	CAPITAL OUTLAY	1,740.00	0.00	1,740.00
					35-90-7250			
					Dept. Total	1,740.00	0.00	1,740.00
51873	5/27/2014	5500	THERMAL TECHNOLOGIES, INC	35-90-8370-4500	CONTRACTS	2,160.00	0.00	2,160.00
51994	6/9/2014	140	ATLANTIC POWER SYSTEMS OF NC, INC.	35-90-8370-1600	MAINT/REPAIR EQUIP	5,000.00	(3,559.40)	1,440.60
52016	6/10/2014	1808	WESTINGHOUSE ELECTRIC SUPPLY	35-90-8370-7400	CAPITAL OUTLAY	33,275.00	0.00	33,275.00
52019	6/10/2014	13222	STOCKS & TAYLOR CONSTRUCTION C	35-90-8370-7400	CAPITAL OUTLAY	5,900.00	0.00	5,900.00
52020	6/10/2014	252	BOOTH & ASSOCIATES, INC.	35-90-8370-7400	CAPITAL OUTLAY	10,150.00	(2,811.56)	7,338.44
52049	6/13/2014	4438	TRANSFORMER MAINTENANCE	35-90-8370-1603	MAINT/REPAIR SUBSTATION	10,000.00	0.00	10,000.00
52051	6/13/2014	9891	THE SOUND SIDE GROUP INC.	35-90-8370-0400	PROFESSIONAL SERVICE	1,330.00	0.00	1,330.00
52063	6/13/2014	9373	GOVERNOR CONTROL SYSTEMS	35-90-8370-1600	MAINT/REPAIR EQUIP	3,500.00	(2,575.00)	925.00
					35-90-8370			
					Dept. Total	71,315.00	(8,945.96)	62,369.04
52106	6/20/2014	8685	J. HARLEN CO.	35-90-8380-3300	DEPARTMENTAL SUPPLIES	500.86	0.00	500.86
					35-90-8380			
					Dept. Total	500.86	0.00	500.86
51473	2/11/2014	252	BOOTH & ASSOCIATES, INC.	35-90-8390-7400	CAPITAL OUTLAY	30,000.00	(14,807.47)	15,192.53
51474	2/11/2014	252	BOOTH & ASSOCIATES, INC.	35-90-8390-7400	CAPITAL OUTLAY	50,000.00	(16,774.14)	33,225.86
51637	4/11/2014	1808	WESTINGHOUSE ELECTRIC SUPPLY	35-90-8390-5600	MATERIAL OVERHEAD COST	888.80	(461.92)	426.88
51790	5/9/2014	1808	WESTINGHOUSE ELECTRIC SUPPLY	35-90-8390-7400	CAPITAL OUTLAY	1,575.00	0.00	1,575.00
51827	5/15/2014	1808	WESTINGHOUSE ELECTRIC SUPPLY	35-90-8390-5600	MATERIAL OVERHEAD CONT	4,943.47	(4,870.72)	72.75
51963	6/6/2014	1426	IRBY	35-90-8390-5601	MATERIAL UNDERGROUND	3,300.00	0.00	3,300.00
52136	6/25/2014	10531	C.W. WRIGHT CONSTRUCTION COMPANY, I	35-90-8390-7400	CAPITAL OUTLAY	104,180.00	0.00	104,180.00
					35-90-8390			
					Dept. Total	194,887.27	(36,914.25)	157,973.02
51744	5/2/2014	2538	BOBBY COLE JR.	38-90-4710-1200	PRINTING & PUBLISHING	1,000.00	(436.34)	563.66
52065	6/13/2014	9582	BANK OF AMERICA	38-90-4710-0400	PROFESSIONAL SERVICES	1,500.00	(1,202.60)	297.40
					38-90-4710			
					Dept. Total	2,500.00	(1,638.94)	861.06
51682	4/24/2014	51	AGRI SUPPLY CO., INC.	39-90-4740-7000	NONCAPITALIZED PURCHASES	700.00	0.00	700.00
					39-90-4740			
					Dept. Total	700.00	0.00	700.00
					Grand Total			662,552.15



REQUEST FOR CITY COUNCIL ACTION

To: Mayor Hodges & Members of the City Council
From: Brian Alligood, City Manager
Date: August 4, 2014
Subject: Release from Deed of Trust – Keys Landing Subdivision
Applicant Presentation: N/A
Staff Presentation: Brian Alligood

RECOMMENDATION:

I move that City Council approve and authorize the Mayor to execute the attached deed of trust releases for lots 1, 2, 3, 11, and 12 in the Keys Landing Subdivision contingent upon the properties being conveyed to LMI qualified purchasers and their LMI status being verified by the CDBG administrator.

BACKGROUND AND FINDINGS:

The Keys Landing Subdivision CDBG housing project is nearing completion. The City must release its deed of trust on each lot in order for the property to be conveyed to a purchaser. This request provides for releases on the five lots under the current CDBG project. In accordance with the CDBG guidelines the properties must be conveyed to LMI qualified purchasers and all releases are contingent upon verification of LMI status.

PREVIOUS LEGISLATIVE ACTION

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact

SUPPORTING DOCUMENTS

Releases for Lots 1, 2, 3, 11, and 12 in the Keys Landing Subdivision

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: Buck Concur _____ Recommend Denial _____ No Recommendation
8/5/14 Date

PREPARED BY and RETURN TO:
RODMAN, HOLSCHER, PECK & EDWARDS, P.A.
Attorneys at Law
320 North Market Street
Post Office Box 1747
Washington NC 27889
Telephone: (252) 946-3122

**STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT**

THIS RELEASE is made and entered into this the ____ day of _____, 2014,
by and between **THE CITY OF WASHINGTON**, a North Carolina Body Politic, and
FRANZ F. HOLSCHER, as Trustee, Grantors, to **METROPOLITAN HOUSING
AND COMMUNITY DEVELOPMENT CORPORATION, INC.**, a North Carolina
non-profit corporation, Grantee.

WITNESSETH

That the Grantors, for and in consideration of the sum of Ten and no/100 Dollars
(\$10.00) and other good and valuable consideration to them paid by the Grantee, the receipt
and legal sufficiency of which is hereby acknowledged, do hereby release from the lien and
operation of that certain Deed of Trust recorded in the Beaufort County Registry in Deed
Book 1837, Page 853 that portion of land therein described as follows:

LYING AND BEING IN WASHINGTON TOWNSHIP, BEAUFORT COUNTY,
NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IT BEING ALL OF Lot No. ONE (1) of Keys Landing Subdivision as shown on that
subdivision plat recorded in Plat Cabinet I, Slide 16-5 of the Beaufort County Registry.

TO HAVE AND TO HOLD the same unto the said Grantee, its successors or assigns, free and discharged of the lien of said Deed of Trust, but the lien thereof as to the remaining properties therein described is expressly retained.

IN WITNESS WHEREOF, the said FRANZ F. HOLSCHER, as Trustee, has hereunto set his hand and adopted as his seal, the typewritten word "SEAL" appearing beside his name, and the said THE CITY OF WASHINGTON, a municipal corporation, Grantor, has caused this instrument to be executed in its name by its Mayor, attested by its City Clerk, and its corporate seal to be hereto affixed, all by proper corporate authority duly given, this the day and year first above written.

CITY OF WASHINGTON

(corporate seal)

BY: _____ (SEAL)
Jay MacDonald Hodges, Mayor

ATTEST:

Cynthia S. Bennett, City Clerk

BY: _____ (SEAL)
Franz F. Holscher, Trustee

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, _____, a Notary Public of the State and County aforesaid, certify that **CYNTHIA S. BENNETT** personally appeared before me this day and acknowledged that she is City Clerk of the **CITY OF WASHINGTON**, a North Carolina municipal corporation, and by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by **JAY MACDONALD HODGES**, Mayor, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

Before me, the undersigned Notary Public in and for the State and County aforesaid, this day personally appeared **FRANZ F. HOLSCHER**, as Trustee, and acknowledged the due execution by him of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

PREPARED BY and RETURN TO:
RODMAN, HOLSCHER, PECK & EDWARDS, P.A.
Attorneys at Law
320 North Market Street
Post Office Box 1747
Washington NC 27889
Telephone: (252) 946-3122

**STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT**

THIS RELEASE is made and entered into this the ____ day of _____, 2014,
by and between **THE CITY OF WASHINGTON**, a North Carolina Body Politic, and
FRANZ F. HOLSCHER, as Trustee, Grantors, to **METROPOLITAN HOUSING
AND COMMUNITY DEVELOPMENT CORPORATION, INC.**, a North Carolina
non-profit corporation, Grantee.

WITNESSETH

That the Grantors, for and in consideration of the sum of Ten and no/100 Dollars
(\$10.00) and other good and valuable consideration to them paid by the Grantee, the receipt
and legal sufficiency of which is hereby acknowledged, do hereby release from the lien and
operation of that certain Deed of Trust recorded in the Beaufort County Registry in Deed
Book 1837, Page 853 that portion of land therein described as follows:

LYING AND BEING IN WASHINGTON TOWNSHIP, BEAUFORT COUNTY,
NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IT BEING ALL OF Lot No. TWO (2) of Keys Landing Subdivision as shown on that
subdivision plat recorded in Plat Cabinet I, Slide 16-5 of the Beaufort County Registry.

August 11, 2014

Page 45 of 65

TO HAVE AND TO HOLD the same unto the said Grantee, its successors or assigns, free and discharged of the lien of said Deed of Trust, but the lien thereof as to the remaining properties therein described is expressly retained.

IN WITNESS WHEREOF, the said FRANZ F. HOLSCHER, as Trustee, has hereunto set his hand and adopted as his seal, the typewritten word "SEAL" appearing beside his name, and the said THE CITY OF WASHINGTON, a municipal corporation, Grantor, has caused this instrument to be executed in its name by its Mayor, attested by its City Clerk, and its corporate seal to be hereto affixed, all by proper corporate authority duly given, this the day and year first above written.

CITY OF WASHINGTON

(corporate seal)

BY: _____ (SEAL)
Jay MacDonald Hodges, Mayor

ATTEST:

Cynthia S. Bennett, City Clerk

BY: _____ (SEAL)
Franz F. Holscher, Trustee

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, _____, a Notary Public of the State and County aforesaid, certify that **CYNTHIA S. BENNETT** personally appeared before me this day and acknowledged that she is City Clerk of the **CITY OF WASHINGTON**, a North Carolina municipal corporation, and by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by **JAY MACDONALD HODGES**, Mayor, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

Before me, the undersigned Notary Public in and for the State and County aforesaid, this day personally appeared **FRANZ F. HOLSCHER**, as Trustee, and acknowledged the due execution by him of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

PREPARED BY and RETURN TO:
RODMAN, HOLSCHER, PECK & EDWARDS, P.A.
Attorneys at Law
320 North Market Street
Post Office Box 1747
Washington NC 27889
Telephone: (252) 946-3122

**STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT**

THIS RELEASE is made and entered into this the ____ day of _____, 2014,
by and between **THE CITY OF WASHINGTON**, a North Carolina Body Politic, and
FRANZ F. HOLSCHER, as Trustee, Grantors, to **METROPOLITAN HOUSING
AND COMMUNITY DEVELOPMENT CORPORATION, INC.**, a North Carolina
non-profit corporation, Grantee.

WITNESSETH

That the Grantors, for and in consideration of the sum of Ten and no/100 Dollars
(\$10.00) and other good and valuable consideration to them paid by the Grantee, the receipt
and legal sufficiency of which is hereby acknowledged, do hereby release from the lien and
operation of that certain Deed of Trust recorded in the Beaufort County Registry in Deed
Book 1837, Page 853 that portion of land therein described as follows:

LYING AND BEING IN WASHINGTON TOWNSHIP, BEAUFORT COUNTY,
NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IT BEING ALL OF Lot No. THREE (3) of Keys Landing Subdivision as shown on that
subdivision plat recorded in Plat Cabinet I, Slide 16-5 of the Beaufort County Registry.

August 11, 2014

Page 48 of 65

TO HAVE AND TO HOLD the same unto the said Grantee, its successors or assigns, free and discharged of the lien of said Deed of Trust, but the lien thereof as to the remaining properties therein described is expressly retained.

IN WITNESS WHEREOF, the said FRANZ F. HOLSCHER, as Trustee, has hereunto set his hand and adopted as his seal, the typewritten word "SEAL" appearing beside his name, and the said THE CITY OF WASHINGTON, a municipal corporation, Grantor, has caused this instrument to be executed in its name by its Mayor, attested by its City Clerk, and its corporate seal to be hereto affixed, all by proper corporate authority duly given, this the day and year first above written.

CITY OF WASHINGTON

(corporate seal)

BY: _____ (SEAL)
Jay MacDonald Hodges, Mayor

ATTEST:

Cynthia S. Bennett, City Clerk

BY: _____ (SEAL)
Franz F. Holscher, Trustee

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, _____, a Notary Public of the State and County aforesaid, certify that **CYNTHIA S. BENNETT** personally appeared before me this day and acknowledged that she is City Clerk of the **CITY OF WASHINGTON**, a North Carolina municipal corporation, and by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by **JAY MACDONALD HODGES**, Mayor, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

Before me, the undersigned Notary Public in and for the State and County aforesaid, this day personally appeared **FRANZ F. HOLSCHER**, as Trustee, and acknowledged the due execution by him of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

PREPARED BY and RETURN TO:
RODMAN, HOLSCHER, PECK & EDWARDS, P.A.
Attorneys at Law
320 North Market Street
Post Office Box 1747
Washington NC 27889
Telephone: (252) 946-3122

**STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT**

THIS RELEASE is made and entered into this the ____ day of _____, 2014,
by and between **THE CITY OF WASHINGTON**, a North Carolina Body Politic, and
FRANZ F. HOLSCHER, as Trustee, Grantors, to **METROPOLITAN HOUSING
AND COMMUNITY DEVELOPMENT CORPORATION, INC.**, a North Carolina
non-profit corporation, Grantee.

WITNESSETH

That the Grantors, for and in consideration of the sum of Ten and no/100 Dollars
(\$10.00) and other good and valuable consideration to them paid by the Grantee, the receipt
and legal sufficiency of which is hereby acknowledged, do hereby release from the lien and
operation of that certain Deed of Trust recorded in the Beaufort County Registry in Deed
Book 1837, Page 853 that portion of land therein described as follows:

LYING AND BEING IN WASHINGTON TOWNSHIP, BEAUFORT COUNTY,
NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IT BEING ALL OF Lot No. ELEVEN (11) of Keys Landing Subdivision as shown on that
subdivision plat recorded in Plat Cabinet I, Slide 16-5 of the Beaufort County Registry.

August 11, 2014

Page 51 of 65

TO HAVE AND TO HOLD the same unto the said Grantee, its successors or assigns, free and discharged of the lien of said Deed of Trust, but the lien thereof as to the remaining properties therein described is expressly retained.

IN WITNESS WHEREOF, the said FRANZ F. HOLSCHER, as Trustee, has hereunto set his hand and adopted as his seal, the typewritten word "SEAL" appearing beside his name, and the said THE CITY OF WASHINGTON, a municipal corporation, Grantor, has caused this instrument to be executed in its name by its Mayor, attested by its City Clerk, and its corporate seal to be hereto affixed, all by proper corporate authority duly given, this the day and year first above written.

CITY OF WASHINGTON

(corporate seal)

BY: _____ (SEAL)
Jay MacDonald Hodges, Mayor

ATTEST:

Cynthia S. Bennett, City Clerk

BY: _____ (SEAL)
Franz F. Holscher, Trustee

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, _____, a Notary Public of the State and County aforesaid, certify that **CYNTHIA S. BENNETT** personally appeared before me this day and acknowledged that she is City Clerk of the **CITY OF WASHINGTON**, a North Carolina municipal corporation, and by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by **JAY MACDONALD HODGES**, Mayor, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

Before me, the undersigned Notary Public in and for the State and County aforesaid, this day personally appeared **FRANZ F. HOLSCHER**, as Trustee, and acknowledged the due execution by him of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

PREPARED BY and RETURN TO:
RODMAN, HOLSCHER, PECK & EDWARDS, P.A.
Attorneys at Law
320 North Market Street
Post Office Box 1747
Washington NC 27889
Telephone: (252) 946-3122

**STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT**

THIS RELEASE is made and entered into this the ____ day of _____, 2014,
by and between **THE CITY OF WASHINGTON**, a North Carolina Body Politic, and
FRANZ F. HOLSCHER, as Trustee, Grantors, to **METROPOLITAN HOUSING
AND COMMUNITY DEVELOPMENT CORPORATION, INC.**, a North Carolina
non-profit corporation, Grantee.

WITNESSETH

That the Grantors, for and in consideration of the sum of Ten and no/100 Dollars
(\$10.00) and other good and valuable consideration to them paid by the Grantee, the receipt
and legal sufficiency of which is hereby acknowledged, do hereby release from the lien and
operation of that certain Deed of Trust recorded in the Beaufort County Registry in Deed
Book 1837, Page 853 that portion of land therein described as follows:

LYING AND BEING IN WASHINGTON TOWNSHIP, BEAUFORT COUNTY,
NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IT BEING ALL OF Lot No. TWELVE (12) of Keys Landing Subdivision as shown on that
subdivision plat recorded in Plat Cabinet I, Slide 16-5 of the Beaufort County Registry.

August 11, 2014

Page 54 of 65

TO HAVE AND TO HOLD the same unto the said Grantee, its successors or assigns, free and discharged of the lien of said Deed of Trust, but the lien thereof as to the remaining properties therein described is expressly retained.

IN WITNESS WHEREOF, the said FRANZ F. HOLSCHER, as Trustee, has hereunto set his hand and adopted as his seal, the typewritten word "SEAL" appearing beside his name, and the said THE CITY OF WASHINGTON, a municipal corporation, Grantor, has caused this instrument to be executed in its name by its Mayor, attested by its City Clerk, and its corporate seal to be hereto affixed, all by proper corporate authority duly given, this the day and year first above written.

CITY OF WASHINGTON

(corporate seal)

BY: _____ (SEAL)
Jay MacDonald Hodges, Mayor

ATTEST:

Cynthia S. Bennett, City Clerk

BY: _____ (SEAL)
Franz F. Holscher, Trustee

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, _____, a Notary Public of the State and County aforesaid, certify that **CYNTHIA S. BENNETT** personally appeared before me this day and acknowledged that she is City Clerk of the **CITY OF WASHINGTON**, a North Carolina municipal corporation, and by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by **JAY MACDONALD HODGES**, Mayor, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

Before me, the undersigned Notary Public in and for the State and County aforesaid, this day personally appeared **FRANZ F. HOLSCHER**, as Trustee, and acknowledged the due execution by him of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____



REQUEST FOR CITY COUNCIL ACTION

To: Mayor Hodges & Members of the City Council
From: Brian Alligood, City Manager
Date: August 4, 2014
Subject: Deed of Trust Release for Lot 158 in Northgate Subdivision
Applicant Presentation: N/A
Staff Presentation: Brian Alligood

RECOMMENDATION:

I move that City Council approve and authorize the Mayor to execute the attached deed of trust release for lot 158 in the Northgate Subdivision and upon the creation of a Northgate Subdivision Homeowners' Association (or similar entity) to maintain the 7.4 +/- acres of land in the subdivision that Mr. Briley has committed to donate as subdivision common space, authorize cancelling the remaining deed of trust.

BACKGROUND AND FINDINGS:

Northgate Development, LLC (Northgate) is requesting a partial release from the deed of trust for which the City is a beneficiary. The deed of trust is security for Northgate's performance of a \$1,620,000 Crisis Housing Infrastructure Funds Grant which the City received to assist Northgate in constructing infrastructure for the subdivision. The City has received confirmation from the State that Northgate has satisfied the grant requirement of conveying 32 homes to low to moderate income households. There is an outstanding issue between the City and Northgate regarding sidewalks in the subdivision that were not constructed. Staff has been in conversations with Mr. Briley and his attorney in efforts to resolve this matter. Mr. Briley has offered to donate 7.4 +/- acres of mostly cleared land along the western side of the subdivision for common space as a compromise to installing sidewalks. Mr. Briley believes this would be more acceptable to subdivision residents than installing sidewalks due to the shrinking of yards, damage to existing landscaping and relocation of existing utilities that would be required. A homeowners' association (or similar entity) would need to be established to maintain this common property.

PREVIOUS LEGISLATIVE ACTION

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact

SUPPORTING DOCUMENTS

Lot 158 deed of trust release and common area survey

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: kw Concur _____ Recommend Denial _____ No Recommendation
8/5/14 Date

PREPARED BY and RETURN TO:
RODMAN, HOLSCHER, PECK & EDWARDS, P.A.
Attorneys at Law
320 North Market Street
Post Office Box 1747
Washington NC 27889
Telephone: (252) 946-3122



**STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT**

THIS RELEASE is made and entered into this the ____ day of _____, 2014, by and between **THE CITY OF WASHINGTON**, a North Carolina Body Politic, and **FRED N. HOLSCHER**, as Trustee, Grantors, to **NORTHGATE DEVELOPMENT, L.L.C.**, a North Carolina Limited Liability Company, Grantee.

WITNESSETH

That the Grantors, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration to them paid by the Grantee, the receipt and legal sufficiency of which is hereby acknowledged, do hereby release from the lien and operation of that certain Deed of Trust recorded in the Beaufort County Registry in Deed Book 1287, Page 218 which has been re-recorded in Book 1296, Page 125, that portion of land therein described as follows:

LYING AND BEING IN WASHINGTON TOWNSHIP, BEAUFORT COUNTY, NORTH CAROLINA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IT BEING ALL of Lot No. ONE HUNDRED AND FIFTY-EIGHT (158) of NORTHGATE SUBDIVISION as the same is shown on the survey prepared by Rivers &

Associates, Inc. entitled "Final Plat Northgate Subdivision Addition" of record in Plat Cabinet G, Slides 34-4 through 34-8, Beaufort County Registry, to which survey plats reference is herein made and incorporated for a more complete and detailed description.

TO HAVE AND TO HOLD the same unto the said Grantee, its successors or assigns, free and discharged of the lien of said Deed of Trust, but the lien thereof as to the remaining properties therein described is expressly retained.

IN WITNESS WHEREOF, the said FRED N. HOLSCHER, as Trustee, has hereunto set his hand and adopted as his seal, the typewritten word "SEAL" appearing beside his name, and the said THE CITY OF WASHINGTON, a municipal corporation, Grantor, has caused this instrument to be executed in its name by its Mayor, attested by its City Clerk, and its corporate seal to be hereto affixed, all by proper corporate authority duly given, this the day and year first above written.

CITY OF WASHINGTON

(corporate seal)

BY: _____ (SEAL)
Jay MacDonald Hodges, Mayor

ATTEST:

Cynthia S. Bennett, City Clerk

BY: _____ (SEAL)
Fred N. Holscher, Trustee

STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, _____, a Notary Public of the State and County aforesaid, certify that **CYNTHIA S. BENNETT** personally appeared before me this day and acknowledged that she is City Clerk of the **CITY OF WASHINGTON**, a North Carolina municipal corporation, and by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by **JAY MACDONALD HODGES**, Mayor, sealed with its corporate seal and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____

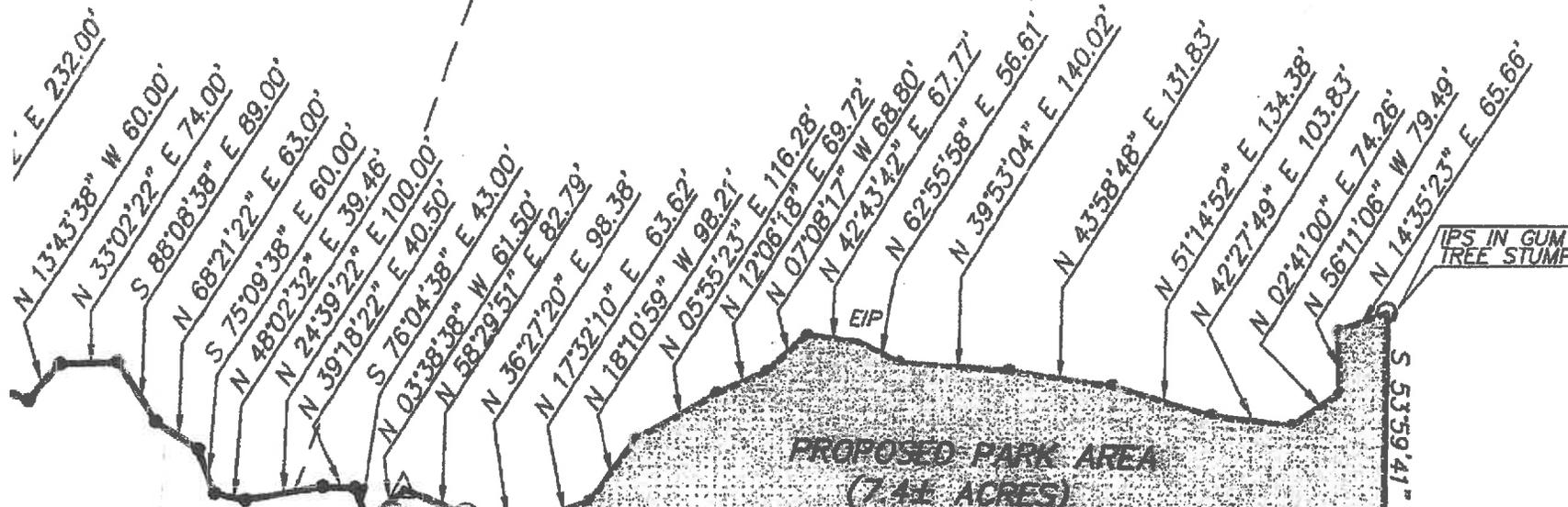
STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

Before me, the undersigned Notary Public in and for the State and County aforesaid, this day personally appeared **FRED N. HOLSCHER**, as Trustee, and acknowledged the due execution by him of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the _____ day of _____, 2014.

NOTARY PUBLIC

My Commission expires: _____



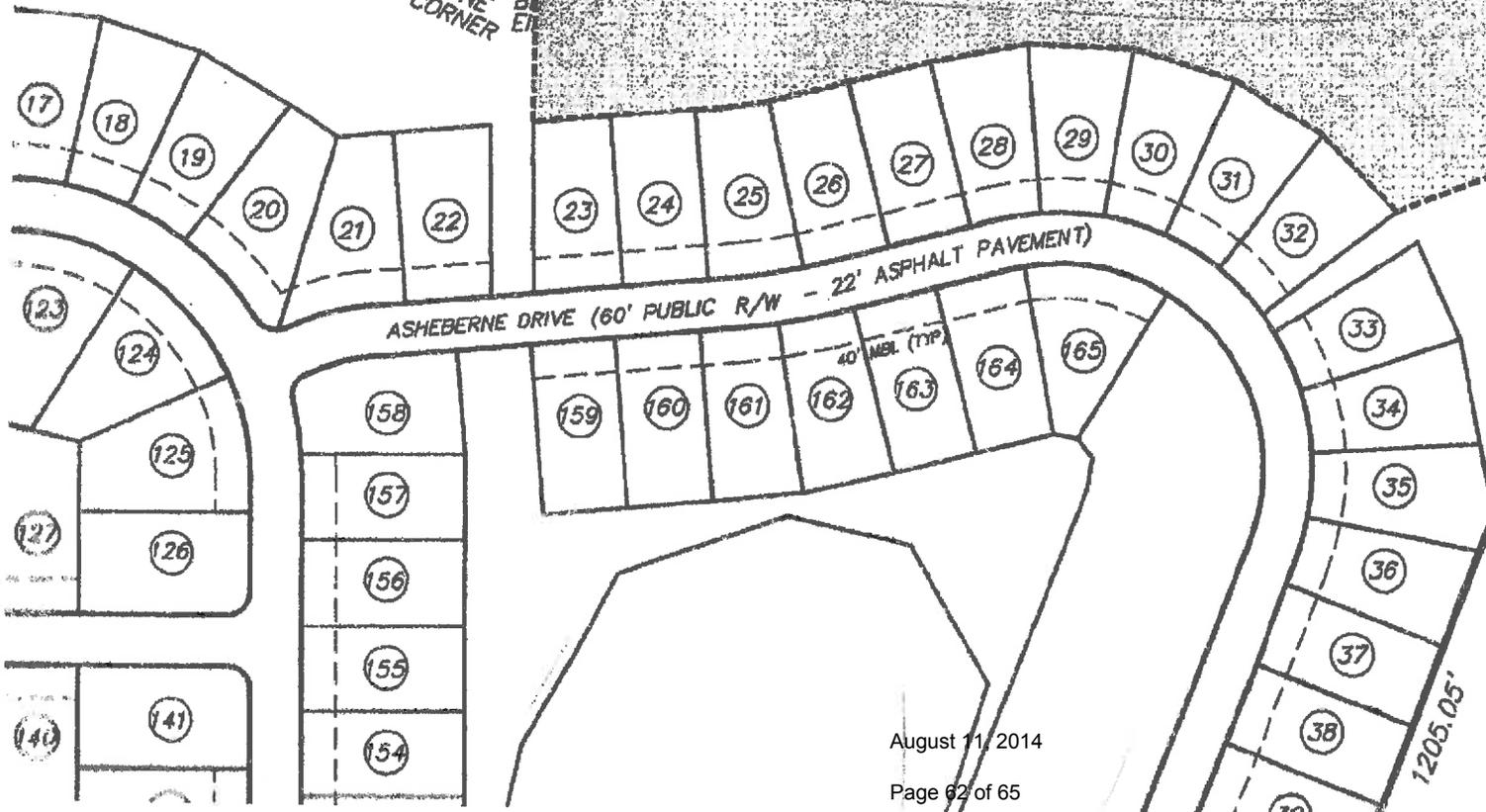
PROPOSED PARK AREA
(7.41 ACRES)

IPS IN GUM
TREE STUMP

STONE
CORNER

JOHN HEI
PIN 50

N 41°12'23" E



ASHEBERNE DRIVE (60' PUBLIC R/W - 22' ASPHALT PAVEMENT)

40' MBL (TYP)

S 40°31'35" W

1205.05'



REQUEST FOR CITY COUNCIL ACTION

To: Mayor Hodges & Members of the City Council
From: Brian Alligood, City Manager
Date: August 4, 2014
Subject: Promissory Note to Committee of 100
Applicant Presentation: N/A
Staff Presentation: Brian Alligood

RECOMMENDATION:

I move that City Council approve and authorize the City Manager to sign the attached promissory note to the Beaufort County Committee of 100 for \$25,000 to fund the UNC School of Government Development Finance Initiative (UNC SOG-DFI) project.

BACKGROUND AND FINDINGS:

The Beaufort County Committee of 100 has agreed to fund the UNC SOG-DFI project in the amount of \$25,000. The funding is structured as a 3-year no interest loan to the City. The Committee of 100 has agreed that a portion of or the entire loan may be forgiven in its sole discretion if a substantial development results in new investment and the creation of jobs in Beaufort County.

PREVIOUS LEGISLATIVE ACTION

FISCAL IMPACT

Currently Budgeted (Account _____) Requires additional appropriation
 No Fiscal Impact

SUPPORTING DOCUMENTS

Promissory Note

City Attorney Review: _____ Date By: _____ (if applicable)
Finance Dept Review: _____ Date By: _____ (if applicable)
City Manager Review: Conc Concur _____ Recommend Denial _____ No Recommendation
8/5/14 Date

SATISFACTION: The debt evidenced by this Note has been satisfied in full this _____ day of _____ Signed: _____

PROMISSORY NOTE

Washington, N.C.

\$ *****25,000.00

FOR VALUE RECEIVED the undersigned, jointly and severally, promise to pay to Beaufort County Committee of 100

_____ or order, the principal sum of Twenty Five Thousand and 00/100

DOLLARS (\$ *****25,000.00), with interest from n/a, at the rate of Zero

per cent (0.000 %) per annum on the unpaid balance until paid or until default, both principal and interest payable in lawful money of the United States of America, at the office of Beaufort County Committee of 100

_____ or at such place as the legal holder hereof may designate in writing. It is understood and agreed that additional amounts may be advanced by the holder hereof as provided in the instruments, if any, securing this Note and such advances will be added to the principal of this Note and will accrue interest at the above specified rate of interest from the date of advance until paid. The principal and interest shall be due and payable as follows:

One payment of \$25,000.00 on or before three years from the date hereof. A portion or all of which payment (loan amount) may be forgiven in the discretion, exercised in good faith, of the Beaufort County Committee of 100 if a substantial development results in new investment and the creation of jobs in Beaufort County through the use of said funds, which funds shall be used by the City of Washington ("City") to satisfy the City Payment of a portion of the Development Finance Initiative's ("DFI") fee for DFI's services pursuant to the Letter of Agreement by and between the City and the University of North Carolina at Chapel Hill for its School of Government.

If not sooner paid, the entire remaining indebtedness shall be due and payable on _____

If payable in installments, each such installment shall, unless otherwise provided, be applied first to payment of interest then accrued and due on the unpaid principal balance, with the remainder applied to the unpaid principal.

Unless otherwise provided, this Note may be prepaid in full or in part at any time without penalty or premium. Partial prepayments shall be applied to installments due in reverse order of their maturity.

In the event of (a) default in payment of any installment of principal or interest hereof as the same becomes due and such default is not cured within ten (10) days from the due date, or (b) default under the terms of any instrument securing this Note, and such default is not cured within fifteen (15) days after written notice to maker, then in either such event the holder may without further notice, declare the remainder of the principal sum, together with all interest accrued thereon and, the prepayment premium, if any, at once due and payable. Failure to exercise this option shall not constitute a waiver of the right to exercise the same at any other time. The unpaid principal of this Note and any part thereof, accrued interest and all other sums due under this Note and the Deed of Trust, if any, shall bear interest at the rate of _____ per cent (_____ %) per annum after default until paid.

All parties to this Note, including maker and any sureties, endorsers, or guarantors hereby waive protest, presentment, notice of dishonor, and notice of acceleration of maturity and agree to continue to remain bound for the payment of principal, interest and all other sums due under this Note and the Deed of Trust notwithstanding any change or changes by way of release, surrender, exchange, modification or substitution of any security for this Note or by way of any extension or extensions of time for the payment of principal and interest; and all such parties waive all and every kind of notice of such change or changes and agree that the same may be made without notice or consent of any of them.

Upon default the holder of this Note may employ an attorney to enforce the holder's rights and remedies and the maker, principal, surety, guarantor and endorsers of this Note hereby agree to pay to the holder reasonable attorneys fees not exceeding a sum equal to fifteen percent (15%) of the outstanding balance owing on said Note, plus all other reasonable expenses incurred by the holder in exercising any of the holder's rights and remedies upon default. The rights and remedies of the holder as provided in this Note and any instrument securing this Note shall be cumulative and may be pursued singly, successively, or together against the property described in the Deed of Trust or any other funds, property or security held by the holder for payment or security, in the sole discretion of the holder. The failure to exercise any such right or remedy shall not be a waiver or release of such rights or remedies or the right to exercise any of them at another time.

This Note is to be governed and construed in accordance with the laws of the State of North Carolina.

This Note is given to evidence the debt described above, and is secured by a

n/a _____ which is a n/a lien upon the property therein described.

IN TESTIMONY WHEREOF, each corporate maker has caused this instrument to be executed in its corporate name by its _____ President, attested by its

IN TESTIMONY WHEREOF, each individual maker has hereunto set his hand and adopted as his seal the word "SEAL" appearing beside his name, the day and year first above written.

Secretary, and its corporate seal to be hereto affixed, all by order of its Board of Directors first duly given, the day and year first above written.

City of Washington **SEE ATTACHED** (SEAL)

(Corporate Name)
By: _____

President

BY: _____ (SEAL)

ATTEST: _____

Secretary (Corporate Seal)

(SEAL)

(Corporate Name)
By: _____

President

(SEAL)

ATTEST: _____

Secretary (Corporate Seal)

(SEAL)

August 11, 2014



PRE-AUDIT CERTIFICATE

This Promissory Note has been pre-audited pursuant to North Carolina General Statute § 159-28 in the manner required by the Local Governmental Budget and Fiscal Control Act.

CITY OF WASHINGTON

MATT RAUSCHENBACH,
Chief Financial Officer

CITY OF WASHINGTON

ATTEST:

CYNTHIA S. BENNETT, City Clerk

By:

BRIAN M. ALLIGOOD, City Manager